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## Legislative Assembly of Ontario

Second session, 35th Parliament

## Assemblée législative de l'Ontario

Deuxième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 22 April 1992

# Journal des débats (Hansard)

Lemercredi 22 avril 1992

## Standing committee on the Legislative Assembly

Organization

## Comité permanent de l'Assemblée législative

Organisation



Chair: Steven Offer  
Clerk: Douglas Arnott

Président : Steven Offer  
Greffier : Douglas Arnott

Published by the Legislative Assembly of Ontario  
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# LEGISLATIVE ASSEMBLY OF ONTARIO

## STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Wednesday 22 April 1992

The committee met at 1532 in room 151.

### ELECTION OF CHAIR

**Clerk of the Committee (Mr Douglas Arnott):** Honourable members, it is my duty to call upon you to elect a Chair of the committee. Are there any nominations?

**Mr Mike Cooper (Kitchener-Wilmot):** I nominate Noel Duignan.

**Clerk of the Committee:** Thank you. Are there any further nominations? There being no further nominations, I declare Mr Duignan elected Chair of the standing committee on the Legislative Assembly.

### ELECTION OF VICE-CHAIR

**The Chair (Mr Noel Duignan):** The next item on the agenda is the election of the Vice-Chair. Are there nominations?

**Mr Stephen Owens (Scarborough Centre):** I nominate Mike Farnan.

**The Chair:** Any further nominations? There being no further nominations, I declare Mike Farnan Vice-Chair of the Legislative Assembly committee.

### BUSINESS SUBCOMMITTEE

**The Chair:** Is there a motion on the subcommittee on committee business?

Mr Cooper moves that a subcommittee on committee business be appointed to meet from time to time at the call of the Chair or at the request of any member thereof to consider and report to the committee on the business of the committee; that substitution be permitted on the subcommittee; that the presence of all members of the subcommittee is necessary to constitute a meeting; and that the subcommittee be composed of the following members: Noel Duignan, Mike Farnan, Barbara Sullivan and Noble Villeneuve.

Motion agreed to.

**The Chair:** Item 4 on the agenda is the discussion of future business. May I make a recommendation to the committee that the subcommittee take a look at some outstanding issues that are before the committee and report back to the committee at its next regular meeting, next Wednesday, on what business the committee has to deal with. Because of what's happened in the intervening time, I've lost track of what business is before the committee. Agreed? Okay.

Any further items for the committee? Any member want to bring up an issue? Hearing none, this committee stands adjourned until next Wednesday at 3:30.

The committee adjourned at 1535.



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**Chair / Président:** Duignan, Noel (Halton North/-Nord ND)

**Vice-Chair / Vice-Président:** Farnan, Mike (Cambridge ND)

Cooper, Mike (Kitchener-Wilmot ND)

Johnson, Paul R. (Prince Edward-Lennox-South Hastings/Prince Edward-Lennox-Hastings-Sud ND)

Marland, Margaret (Mississauga South/-Sud PC)

Mathysen, Irene (Middlesex ND)

McClelland, Carman (Brampton North/-Nord L)

Mills, Gordon (Durham East/-Est ND)

Morin, Gilles E. (Carleton East/-Est L)

Owens, Stephen (Scarborough Centre ND)

Sullivan, Barbara (Halton Centre L)

Villeneuve, Noble (S-D-G & East Grenville/S-D-G & Grenville-Est PC)

**Substitutions / Membres remplaçants:**

MacKinnon, Ellen (Lambton ND) for Mr Mills

**Clerk / Greffier:** Arnott, Douglas

**Staff / Personnel:** Yeager, Lewis, research officer, Legislative Research Service





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Second session, 35th Parliament

## Assemblée législative de l'Ontario

Deuxième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 6 May 1992

# Journal des débats (Hansard)

Mercredi 6 mai 1992

## Standing committee on the Legislative Assembly

Use of computers  
in House

## Comité permanent de l'Assemblée législative

Emploi d'ordinateurs  
dans la Chambre



Chair: Noel Duignan  
Clerk: Douglas Arnott

Président : Noel Duignan  
Greffier : Douglas Arnott





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# LEGISLATIVE ASSEMBLY OF ONTARIO

## STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Wednesday 6 May 1992

The committee met at 1543 in room 151.

### USE OF COMPUTERS IN HOUSE

**The Chair (Mr Noel Duignan):** Seeing a quorum present, I call the standing committee on the Legislative Assembly to order. Our agenda today indicates one item of business, that is, dealing with the review of the use of electronic devices by members in the legislative chamber and its committee meetings. This has been referred to us by the Speaker to deal with. I understand, Barbara, that you wanted to make a presentation on this.

**Mrs Barbara Sullivan (Halton Centre):** Yes. My discussion on the issue will be a short one, because I think my letter to the Speaker is self-explanatory. I think it's very clear that the House is used not only for debate but also for the members to do work, such as speech preparation or correspondence, that is part of their work as members. The members are supplied with equipment in the House in order to do that, that equipment being pens, paper and pencils. My suggestion is that the laptop computer be allowed in the House as one of the devices available to the member.

I should tell you that I'm not wedded to this. I think there are questions about the dignity of the House and so on. But on the other hand, as a matter of efficiency and efficacy in dealing with the job of the member, for those who have that kind of equipment it's a useful tool in coming to terms with the level of work.

The Speaker has apparently indicated to at least one or two members in the past that he didn't want to see a laptop in the chamber. My view was that this kind of ruling, that kind of decision, was more for members themselves to make than to be a decision of the Speaker.

Some members in at least two parties, I think, now use the automated calendar, which is a fairly discreet piece of equipment, rather than an appointment book. Sometimes they will update that calendar in the House. It's certainly not an intervention in the proceedings. We know that laptop computers are quiet and that they will run without additional cost to the Legislature in terms of new wiring and changes that would be required. I just thought it would be useful, in the context of looking at our workload and how it's handled, for members to discuss the issue and determine if they think it is appropriate.

**The Chair:** Further members in debate?

**Mr Gordon Mills (Durham East):** I have read over this letter this afternoon. It's the first time I've been advised of it. I must say I can agree with practically everything you've said in there, Barbara. What I find particularly frustrating is that when I'm on House duty and not designated to take part in any debate, I continually wrestle with the waste of time I do there. I think that

sometimes accounts for quorum calls, because we go out to try to communicate with our staff and get them working.

Also, I think the reason why lots of times there seems to be a general sort of discussion period in the Legislature is because MPPs are prevented from working. It's rather a miserable time. They just group together and chat one another up. This sometimes results in the Speaker calling for private discussions to take place outside. Of course, we can't do that because we have to stay there, as you know, Mr Chair.

I recognize that the Legislature is a place one must respect and where one must have a certain degree of decorum, but I also think we're moving ahead. You can't stand pat and say, "All you can do is to write with pen and pencil," because it's just not particularly efficient any more.

I have one clause I would like to see. I know these laptops have foldup screens. I, for one, wouldn't like to sit in the House and see people totally with all these things up. I would like to see some way we could modify the degree of that screen where it comes up. If we could have it discreetly down a bit so that it doesn't look that obvious and if it's on our desk in front of us rather than straight up like that so that we're not paying any attention to anything that goes on, I think that would be a halfway compromise that respects the House and also allows members to go about their everyday business. I'm not alone in this. The time we waste doing nothing is just awful.

I would support this move. I think it's very apropos for the time and age we live in, with just that discretion by the members that the screen sort of keeps down a little bit so that it's not obtrusive to everyone and is not seen as just totally disregarding all the proceedings there. That's the only thing I would like to say about it; otherwise I support it. I think we should make a decision on it and move forward to allow ourselves to be much more efficient and busy in the time we have to sit in there.

1550

**Mr Mike Farnan (Cambridge):** I think it's an item that we would want to look at. I want to refer to the Speaker's comments in reply to the suggestion. The Speaker says, "In my opinion, the chamber remains the forum for parliamentary proceedings." We have to be very concerned when members talk about being in the House and wasting their time. We have to be really concerned that parliamentarians might consider that time spent in the House is a waste of time. I know sometimes as politicians we think if we're not speaking, nothing is happening. Unfortunately, we have to understand that when other people are speaking, we have a responsibility to listen. How can you have debate of the highest order if people are doing busy work, constituency work, writing letters, working on laptop computers and a variety of chores?



Now I know that we have all—I shouldn't say "all," because there may be some members who have not participated in other activities. The people of Ontario look at the House and they say, "What is happening in the House?" The issues of the day that affect their lives are being debated, and I think they want some assurance that the debate is being carried on on the basis that people are preparing their speeches well, studying the issues and, having done a great deal of research, giving it their best effort to put forward their point of view.

It says something of us as parliamentarians, if one of our colleagues or ourselves, having researched an issue to a tremendous degree—and I have listened to outstanding contributions in the House. I can look around this room and I can see members in all three parties who have spoken very eloquently and passionately about issues. But it says something of us as parliamentarians if the credit we give to our colleagues is to be writing letters or working on a laptop computer.

I think we really have to ask ourselves a fundamental question. This is a very prestigious assembly. It's the highest assembly in this province where the matters of substance are being debated, and we have a certain decorum that must be maintained. I suggest that those who listen intelligently to a debate and to the arguments being presented by the individual who is speaking will be less inclined to interject in a haphazard manner, sometimes a rude manner and sometimes an unparliamentary manner, if they are actually listening to the dialogue or to the speech. On the other hand, individuals who simply are doing busy work or constituency work will put their heads up and interject and say what they believe to be something witty or relevant; often it isn't.

My question when we study this issue is not that we should be opening up more liberally the kinds of things members should do in the House. My question is whether we should be having instances where members are reading the newspaper, doing a crossword puzzle, heckling, writing letters, doing Christmas cards, doing all kinds of activities about which I suggest the people of Ontario would say, "Hey, I'm not paying my tax dollars to send you down to Queen's Park to do this."

Admittedly members may be writing important letters to their constituents, but I think my constituents in Cambridge, and I suspect most of the residents in Ontario, when they send their parliamentarians to Queen's Park or to Ottawa, expect them to be focused on the issue of the day when they are in the House. If we're discussing health care, should I as a member of Parliament doing House duty be writing a letter on an issue that concerns my local council or some other issue, however important it may be?

I would put the request by the member to have laptops introduced or permitted in the House into the context of a re-examination of all of the things that happen in the House. What's important is not only that we speak in the House but that we listen; that will enhance, I believe, to an extraordinary degree the quality of the interpersonal relations that take place. I mean, can you imagine executives discussing an important issue facing the future of the corporation at a board meeting where some of them were read-

ing the newspaper, where some of them were writing letters—important letters, mind you, but nevertheless writing letters—or doing Christmas mail? I think we would be horrified if we found some of the things we find in the Legislature of Ontario in the boardrooms of business.

One of the items on the agenda of the government is indeed parliamentary reform. I see this as part of that whole area, because what happens in that House is of critical importance. People of Ontario expect the very highest standards, and I think the suggestion that's been brought forward today diminishes and does not enhance those standards. Therefore, I will not support it.

However, I think it may say something in terms of the overall picture. Do all of the parties want to have this number of members in the assembly when debates are taking place if indeed the members are already overstretched? I think it should be said in defence of members that very often members are working 60 or 80 hours a week, and they're using absolutely every minute of time, whether it's committee time or whether it's House time, in order to get all their chores done. So it's not always just out of disregard or rudeness that some other activities take place in the House; sometimes it's out of a genuine concern to get the job done and be effective for our constituents.

But I think we have to ask ourselves the question: Are we organized properly if we are asking members to be in the House when there are other chores they have to do? How many members have to be present for a debate? I would say to you that once in the House representing government or opposition, the responsibility is to participate in the debate, and once you click off your mind, you are no longer participating in the debate. You are either speaking or listening, and if you're listening, then the quality of the debate will have been elevated.

I understand why the member put forward this suggestion, but I think it comes to the heart of a much greater question: What is happening in the House? Would it bear scrutiny? I would suggest to you that what happens in the House would not bear scrutiny. Maybe in time we can look at the procedures in the House and how we can elevate and improve and enhance the quality of debate. The introduction of laptop computers into the House will not enhance that and I will not support it.

1600

**Mr Noble Villeneuve (S-D-G & East Grenville):** I have to support my colleague the member for Cambridge completely. I respect the request by my colleague the member for Halton Centre regarding laptops, but we do have a requirement as elected people here, first and foremost, to the Legislature. I think that in spite of some of the things that occur in there—it's political, it's everything that can sometimes be very detrimental to our image, it can create cynicism and quite often does—still it is the ultimate place. You are elected to the Legislature of Ontario.

We have a requirement when we're not in question period that there be a quorum of 20 members and I can appreciate that. Some people would say, "Well, there was no one in the Legislature when I happened to visit." If indeed the 20 members who are there—and I would hope



that it's not a penance sitting there listening to colleagues participating in a debate. We now have the opportunity to question and comment on one of our colleague's participation in a debate; I think that's an added plus.

Whether the laptops are conspicuous or not doesn't make any difference. When you are sitting there as an elected member, one of 130 in this province, I believe your entire attention should be to the debate. Yes, some of us would rather be elsewhere. Indeed, if it doesn't matter, if it's just a head count, I can tell you that I can sit in my office, watch the debate on TV, not need a laptop computer at all and do whatever. So if it's only a matter of physical presence in the Legislature, then I don't think it bears the weight or, I think, the reason we are here.

I certainly cannot support a thin edge of a wedge which would bring forth—we don't know what the world of technical expertise would bring us next. It may well bring us a laptop computer. Whether it's allowed or not, some people could sneak them in, work at them and you'd never know they were there. I personally think that they should not be there.

Yes, we're all in a position where from time to time we will read a newspaper or we will sign some correspondence. I think we're all guilty of that, but to the taking away of the importance of the Legislature of the province of Ontario. We're all stretched to the limit timewise. We have, in these tough economic times, demands on our time as representatives of 130 ridings, a lot of demands, but I think the Legislature is our first and foremost demand. When we are there we should devote as much of our time to it as possible and participate in the questions or comments on whatever subject is being discussed when it's appropriate. If many of us are here and do burn the midnight oil to try to catch up on correspondence and phone calls, I don't think inside the Legislature is the place to do it.

I apologize, Mr Chair. I have to chair another debate in this building at this very moment, so I ask to be excused. But those are my thoughts.

**The Chair:** Thank you, Mr Villeneuve. Your points are well taken. Any further debate on this issue?

**Mr Mike Cooper (Kitchener-Wilmot):** Just a few brief comments about the laptop computers. The one thing we have to look at is that we fought long and hard and we've got offices here and we have staff here now who are doing a lot of our work. That's money well spent and it's public money. So I think for us to start bringing these things into the House—if it's a question of time, if you have something quick you have to do, there's always the lobby that you can recess to for a few brief moments to get something done.

I think we should keep the decorum in the House the way it always has been and not bring in these electronic devices, because eventually you will have people bringing in cellular phones and things like that. Maybe that's something way off in the future, but I think we should try to keep things the way they are.

With the advent of TV in the House now there are a lot more people watching what's going on. I know there was a

fairly big backlash because a number of people weren't in the House, but the public didn't realize that a lot of the members were off in committees at that time.

Now they have the idea that the members aren't always there, that they have other duties they have to perform. If you brought in laptop computers and that got on TV and people saw them doing that, then they would have the perception that the majority of the people are off in committees and that the people who are there aren't paying attention to the debate. The debate that's going on in the House is important to the public, so I think we have to preserve what we have right now; otherwise the government's going to lose total faith from the public.

**Mr Stephen Owens (Scarborough Centre):** With respect to my colleagues on both sides of this table, I have the greatest level of respect for the parliamentary traditions of this place and I certainly take my position as an MPP with a great level of seriousness. I consider it a great honour to be one of 130 people elected to serve the people of this province. However, in terms of respecting those traditions and the kinds of workloads members put in on their day-to-day jobs, I think one has to take a look at the tools that are available and at our disposal to assist in the performance of that job, to give taxpayers the best service possible.

I don't think it's any sign of disrespect or lack of caring that a member wants to deal with issues in his or her constituency by simply drafting a letter. In terms of how we use our staff resources, in my mind I think it's completely inappropriate to be paying people to take notes that I've thrown together to have a letter drafted and sent back to my desk for approval, when I can simply write the letter, send it through for any grammatical or syntax errors or whatever and have the letter sent out.

In terms of the way life has changed in Ontario, especially now with the situation many of our constituents find themselves in, the workload has changed dramatically for many of the speakers on this issue. I have respect for their years of service in this place, but I would also quietly and gently suggest that life has clearly changed in this province. If there is any way we can better the level of service we provide to our constituents, I think we should utilize that tool.

Working with the request Barbara has put in does not make it mandatory for members to bring in laptops. In terms of the issue with respect to cellular phones, I certainly would have difficulty with that in terms of a ruling or however a motion would be set up; that would be dealt with. I think cellular phones are inappropriate in the Legislature, but in terms of a tool to increase the efficiency of myself as an MPP and maximize the service I can provide to my constituents, I'm afraid I'm at variance with some of my colleagues in this committee. I think that if we want to deal with this in a reasonable way, this issue bears further examination.

In order to maintain a quorum, as set out in the standing orders, I don't think it's appropriate that people just boogie off to the lobby to do letters or whatever it is they need to do. I'm certainly guilty of preparing correspondence and responding to issues of concern to my constituents in the House. It's not because I'm not interested in the



debate that's taking place and it's not because I have no respect for the traditions of this place, but I also have a job to do and that job is very important to approximately 62,000 people whom I represent in the riding of Scarborough Centre. As I say, if I have an opportunity to maximize that service, I'd like to take that opportunity.

1610

**Mrs Sullivan:** If I could just make a final comment, I'm very interested in some of the comments that have been made. I think all members are responsible for several types of work in terms of their representation of their constituents. One aspect is the legislative aspect, participating in the debates and gathering information in association with participation in the debates. Another area is community advocacy, where the member is responsible for ensuring that the issues and concerns of the community are put forward in the appropriate places at the appropriate time.

A third area is two-way communication which is a major part of our jobs. I'm sure it came as a surprise to new members indeed to find out how much two-way communication was a part of the member's work. A fourth area is case work with respect to individuals or community agencies that has to be dealt with.

For somebody who, like myself, is computer literate, the use of the computer is of extraordinary assistance in terms of dealing with the workload in all four of those areas. I see the laptop as an alternative to longhand writing with pen and ink. I also see enormous staff time saved because I'm able to simply pop in a disc, pop out a disc, hand the disc to my staff and the letter which might otherwise take four or five days, or the speech notes which might take four or five days for preparation and into their final form, can be done within a matter of hours.

It gives me pause in putting forward the suggestion because of the concern about respect for the traditions of the House. It seems to me, however, that in putting forward the question of the laptop I have done that in a way that restricts the request to the use of a laptop. I concur with the Speaker and Mr Cooper who have indicated that there are some technologies that would not be useful in the House and would deter and detract from the debate.

I don't want to speak particularly as a mother, but as a mother I certainly know that it's possible to follow conversations of other people in real depth while doing other work at the same time, while that work is intellectually stimulating and intellectually challenging. It seems to me the argument that participating in the debate in terms of listening and perhaps making interjections, or indeed the two-minute comment, is not off the table while a member is involved in other duties, whether it's the writing of letters, the reading of materials to prepare for debate or for speech occasions, or responding to constituent inquiries.

I think the work members do in the House does not detract from respect for their colleagues who are participating actively in the debate. It's simply another aspect of the work that they do in the House. I do understand the concerns. I understand that in all legislative matters there is reluctance to introduce change. If we go to the British House we see that people still sit on benches. They don't

have the desks we do. Clearly there was another point of view about the role of the chamber in the work of the members when Canada and its provincial parliaments introduced desks to the chamber.

I put that before you. Perhaps a decision may well be integrated into the work that Mr Farnan suggested, of the reform of the parliamentary committee. Maybe that's where this item could be referred. In my view, it's not outlandish to upgrade our legislative institutions so that they're in tune with the times.

I was interested in Mr Farnan's remarks that you don't see people reading newspapers and so on in corporate board meetings. I'll tell you, in corporate board meetings they do take in laptop computers and they use them during the course of those meetings. I think times have changed and those are some of the things we should address.

**Mr Farnan:** Just to respond to the analogy, if we're going to draw it out, I would be surprised if, at a corporate board meeting discussing policies of critical issue, those who were speaking had the occasion where there were conversations going on with other members where people were using a computer, where people were writing correspondence. It just would not be acceptable.

I want to go back to two points. The first point is the Speaker's, "In my opinion, the chamber remains the forum for parliamentary proceedings." I want to join that to the comment made by the member for Halton Centre, who talked about coming up to date, "In another time, the inkwells on members' desks were filled and quill pens placed in the 'pen-hollow,' so that members could do other work while continuing to participate in the debate on legislation before the House."

I wonder. I don't know why the quill pen was there, whether it was so they could write a note, and I can see the occasion where one would write a note to another member and send it via the page. But I think what has happened over the years is that there has been an erosion of the importance of debate, and that erosion has happened.

How often do we see those conversations between members of their own party and people visiting each other across the House and private conversations going on, and the member who has thoroughly prepared his contribution to the debate is virtually ignored? Of course, with the way our parliamentary system is set up and the television cameras are set up, to the viewing audience in Ontario all that is seen is the individual speaking. But if those cameras were to pan around the Legislative Assembly, indeed it would unearth a great many activities that would not be acceptable.

My colleague the member for Kitchener-Wilmot has said there are lobbies available for members if they want to go outside and have a private conversation, if they want to go outside and make a phone call, if they want to go outside and work on their laptop computer, but surely when we talk about the chamber itself, the chamber is the assembly of debate.

I don't think there is any greater insult one can give to an individual who is speaking than simply not to listen. By engaging in other activities when a colleague from our own party or government or from an opposition party is giving it his or her best shot, having done his research and



presenting his views in as articulate and cogent a manner as possible, we are degrading the essence of the assembly.

I believe that by bringing this forward the member for Halton Centre has perhaps given us an opportunity to look at the essence. If members are so busy, maybe there should be collective agreements between all the House leaders to reduce the number of members who actually have to be present during the course of a debate so these other important activities can take place. However, again, the people of Ontario, I believe, consider this debate to be important, and I know that if the cameras were panning the assembly, there would be different behaviour by all of us, and I include myself.

I am going to go with the Speaker and support the Speaker in this, because I think the Speaker is calling on this House to enhance the quality of debate, the quality of behaviour and the quality of parliamentary proceedings. Anything that takes away from the enhancement of that is something we should not support.

**The Chair:** Thank you, Mr Farnan. Any further debate? There being none, I thank the members for at times a passionate plea for the parliamentary traditions of the chamber. What is the wish of the committee on how we deal with this issue? We can deal with it in a couple of ways, vote on this issue now or send it away for further studies, such as to the committee on parliamentary reform, and get more information on what other jurisdictions have done on this issue and other issues. What would be the wish of the committee at this point?

1620

**Mr Farnan:** Mr Chairman, I will move a motion that the recommendation of the committee is that laptop computers—if that's the terminology—not be permitted for use in the Legislative Assembly at this time, and that the matter may be referred for any further discussion revolving around parliamentary reform.

**The Chair:** There's a motion on the floor. Is there debate on the motion?

**Mr Owens:** Perhaps I can gently suggest to my colleague the member for Cambridge that in terms of the prohibition he has set out in the first part of that motion, I'm not sure it's really required. I think his intent is to have the issue referred for further exploration through the parliamentary reform committee. I think it's an appropriate motion, but in terms of the prohibition I'm just not sure whether it's absolutely required at this point.

**Mr Farnan:** I want to respond to that. The motion is meant to reflect the thinking of this committee at this time and also to allow for further discussion. That's why it's in two parts.

**The Chair:** This committee on parliamentary reform, I understand, is an ad hoc committee of the three parties. If I'm correct, again, the recommendations of that ad hoc committee may or may not end up coming to this committee for further discussion.

**Mr Farnan:** "May or may not: Is this ad hoc committee already established, Mr Chair?"

**The Chair:** I believe it is, as I understand it.

**Mr Farnan:** Okay. I believe the full range of reform, this issue or any other issue relevant to our life in the Legislative Assembly and our work here as members, is relevant to that committee, and therefore this would automatically be looked at. But I think all I'm doing by this motion is signalling, and therefore I'm going to perhaps just have the motion that it not be permitted at this time as the recommendation of this committee.

I think everything is automatically open to review by the ad hoc committee. We don't have to refer it there. Any item that comes under the auspices of that committee is under review. But I think that at this time we can make a statement as members, that this is where we stand.

**Mr Owens:** Just a question to the clerk through the Chair: Do we in fact have the authority to set up prohibitions? Not necessarily just on that issue, but I think we may be going beyond the bounds of our mandate.

**Clerk of the Committee (Mr Doug Arnott):** The standing orders give the committee authority to advise the Speaker, the Board of Internal Economy and the Legislature of its recommendations. I don't see anything wrong with the motion as drafted in that it advises of a recommendation of the committee. It's not giving a prohibition as a decision of the committee.

**The Chair:** Any further debate on the motion?

**Mrs Sullivan:** Which motion?

**The Chair:** Mr Farnan, which motion are you moving, the original one?

**Mr Farnan:** That the committee recommends that laptop computers not be permitted in the House at this time.

**The Chair:** Any further debate on the motion?

**Mr Farnan:** A poll vote, please.

**The Chair:** I understand that Mrs MacKinnon is not a member of this committee this evening.

**Mrs Ellen MacKinnon (Lambton):** I'm subbing for somebody, but I was never told who. You mean I shouldn't be here?

**The Chair:** Every member has a right to sit in on the committee, but as for this evening, you don't have the right to vote on the committee. There was a request for a recorded vote.

The committee divided on Mr Farnan's motion, which was agreed to on the following vote:

**Ayes—4**

Cooper, Farnan, Johnson, Mathysen.

**Nays—2**

Owens, Sullivan.

**The Chair:** Any further business before the committee this afternoon? Hearing none, this committee stands adjourned till next Wednesday at 3:30.

The committee adjourned at 1626.



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- \*Vice-Chair / Vice-Président: Farnan, Mike (Cambridge ND)
- \*Cooper, Mike (Kitchener-Wilmot ND)
- \*Johnson, Paul R. (Prince Edward-Lennox-South Hastings/Prince Edward-Lennox-Hastings-Sud ND)
- Marland, Margaret (Mississauga South/-Sud PC)
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- \*In attendance / présents

Also taking part / Autres participants et participantes:  
MacKinnon, Ellen (Lambton ND)

Clerk / Greffier: Arnott, Douglas

Staff / Personnel: Yeager, Lewis, research officer, Legislative Research Service



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## Legislative Assembly of Ontario

Second session, 35th Parliament

## Assemblée législative de l'Ontario

Deuxième session, 35<sup>e</sup> législature

## Official Report of Debates (Hansard)

Wednesday 13 May 1992

## Journal des débats (Hansard)

Mercredi 13 mai 1992

## Standing committee on the Legislative Assembly

## Comité permanent de l'Assemblée législative

Chair: Noel Duignan  
Clerk: Douglas Arnott

Président : Noel Duignan  
Greffier : Douglas Arnott

Published by the Legislative Assembly of Ontario  
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### CONGRATULATORY MESSAGES

**The Chair (Mr Noel Duignan):** Seeing a quorum present, I call the meeting to order. The first item on the agenda today is a request filed with this committee before last Christmas dealing with the scroll services provided by the Ministry of Government Services. We have a number of spokespeople here from the Office of the Assembly and from the Ministry of Government Services to give us their points of view on the request.

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**Mrs Barbara Speakman:** Just by way of introduction of what this item is, the Ministry of Government Services, as you know, has for many years provided the government's official scrolls that you all use to commemorate various events and anniversaries. Originally the ministry had been looking at some ideas for cost cutting, but it now tells me that today it just wants to discuss the framing of those scrolls, because apparently Mr Wilson has indicated he does not wish to change the eligibility criteria from what it is currently, so that doesn't become an issue.

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benefit of the full committee hearing, so I'm going to proceed the way I always have without the paranoia.

When somebody else starts speaking, I'll go and phone and get a copy of the scroll I use. It is a scroll form. We use the large, special font on our terminals to put in any kind of font style, in any size, to put the name in and then I write the content on the scroll. They're very well received and they are negligible in cost. It's just a stationery cost and certainly they are available now.

To the first question about the two formats of scroll you've given us to look at this afternoon, I remember when we went to this framed format from those awful things we used to give out on the black, painted board with the Plexiglas cover and the four screw things in the corner. They were very heavy and ugly and cumbersome and horrible. By the time you trekked around with a dozen on a Saturday, it wasn't something you were glad to make a presentation of.

However, I was very pleased when MGS came up with this format. I guess anything we members do on any side of the House always has a cost factor. We have to decide, I suppose, whether we do something like this at the price that's mentioned in our briefing note or we do something like this.

1550

As far as I'm concerned, I don't think there's any comparison if you're the recipient. If we don't care about how convenient or possible it might be for an elderly person to run out and buy a frame and frame it—I mean, this isn't really an alternative to hanging it on the wall. I know that's what this is designed for. If we're very sincere about recognizing the citizens of Ontario with a congratulatory scroll for any occasion, it makes sense to me that we do it properly. If we can't afford to do it properly, then we'd be better not to do it at all, as far as I'm concerned. If the numbers are increasing and the real question is, should we continue—is the real question, because the numbers are continuing, do we continue with A or B?

**Mr Girvin:** There are a variety of options. We were trying to deal with the ongoing constraint issue and took a fairly minimal approach. We weren't into zero-based budgeting about looking at scrolls themselves in terms of those particular options, but certainly if the committee would so direct us, we could come back and present different options, if that was the consensus in this committee. We were talking about something that had an impact immediately of some \$37,000 on an annual basis. We're looking for some level of direction with the users, as I said at the outset. Obviously we're into printing and dealing with a variety of other order-in-council items. That continued to be part of the mandate. You're the basic client and there are some quid pro quos with regard to cost.

**Mrs Marland:** Is it \$37,000 that it costs us for these 19,000 scrolls?

**Mr Girvin:** What we're talking about is taking the grid and the framework that's been set for the gold frames as criteria and implementing folders across the board at the incremental saving of \$4 a pop. That works out to \$37,000.

**Mrs Marland:** Okay. I think we should call these metal frames, not gold frames, if I may.

**Mr Girvin:** Fine.

**Mrs Marland:** Only because—

**The Chair:** It could end up in Frank magazine again.

**Mrs Marland:** It could end up anywhere. It's as much, sir, for your protection as ours, because we're all in this together.

With regard to these gold-coloured metal frames, we're saying that if we go from this format to the plastic folder we're going to save \$37,000.

**Mr Girvin:** That's correct.

**Mrs Marland:** So the actual scroll itself, the printing of it, has a base cost of X amount.

**Mr Girvin:** Yes.

**Mrs Marland:** All I can say in response to that question is that when I print up the scrolls—I will go and get a copy off on my computer at no cost—because the government doesn't supply me with the frames for the ones that I choose to do in my own riding, I go out and buy an 8 by 10 frame. I can buy a gold- or silver-coloured metal frame for usually somewhere between \$2.98 and \$3.49 at drug-stores, large chain stores and so forth. That's what we do. I don't want to give the name of the store, because I always buy them at the same store as a matter of fact, but it is a large chain.

My frame might not be quite as nice as this, but what I'm wondering is, if I can buy them without any discount at a retail outlet for \$3, why is it that this costs \$7 for the government?

**Mr Girvin:** How many of these do we do a year?

**Mr Gary Browne:** We do about 9,000 of the frames and about 7,000 of the folders a year.

**Mr Girvin:** We use our request for proposal and we tender it in terms of that particular item on an 8½ by 11. The standards and specs that we're dealing with—I'm going from memory, I was not in the Ministry of Government Services at the time, but I think it was in 1989 that an all-party committee revised the guidelines and we're following those instructions. That's why we're back here today.

As for the pricing structure, the quality and the size were determined by the all-party committee and that's how we do the tender. I would think on those volumes you would be looking at a fairly substantial wholesale rate.

**Mrs Marland:** Do you know what the unit cost for this frame is?

**Mr Browne:** It is \$7.

**Mrs Marland:** It is \$7. Then, in my opinion, the question isn't about doing away with the frame and substituting it by the plastic packaging folder. Instead I think it's changing the requirement for the frame, whatever the specs were, and just getting another frame that costs less. I wish I had one here because I always have a stock of them in the constituency office. My \$3 frames are quite acceptable to make a presentation.

**Mr Girvin:** I can understand that to a committee of this size it might appear to be a small point and we're really here out of adherence to the interest in this. This would be a decision internally if it were some other service.



If somebody is giving me a direction in terms of tendering or aesthetics, we're flexible. You're the major client. I would like some discussion about the quid pro quo in terms of cost, but that's part of the reason we're here. I am not a user and neither are other civil servants. It's your constituents who are. So if there is somebody else who wishes to give direction in terms of that, we're open to input.

**Mr Gordon Mills (Durham East):** Only last Sunday I had the pleasure of delivering one of these scrolls to a couple who were celebrating their 50th wedding anniversary. They had all their family there and the usual cakes and sandwiches etc and it was a really nice occasion for a very nice couple.

When I was there some memento was delivered from the Prime Minister of Canada in a brown envelope. There was a memento there from the Governor General of Canada, the Honourable Ray Hnatyshyn. There was also the local reeve there with his pathetic presentation from the municipality.

The family of this couple came across to me and, as these folks usually do, they commented about the thought and what a nice presentation it was on behalf of the government. I get up there and I say, "I'm here to present this to you on behalf of the Premier of Ontario and the government of Ontario," and I'm included in that government. I take some sort of pride in doing that.

Some time back under another government, when we were married 40 years my wife and I received some memento from the provincial government and I can tell you quite honestly I don't know where that memento is any more, because I'm not going to run around and buy a frame for it, nor are elderly people, as Margaret said, going to run around and buy frames. When someone reaches one of these milestones it's significant in their life and I think that we as a government should recognize that.

I'm not really keen on going to one of the department stores. I've tried it because I do scrolls on my computer for Girl Guides and things like that. Then I poke them into these little frames which are very flimsy. The glass is always loose, the frame seems to be loose at the ends, and for \$3 or \$4 I'd defy anyone to get a frame of any substance that you could present to anybody, because you just can't buy them.

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In the private market, to get a frame that approaches some sort of standard you'd want as a bearer of this scroll to a couple, you're looking at \$10 or \$12. This is a very professional frame, very well put together and it certainly makes me feel good when I present it.

There's no one here more careful with a dollar than I am—my colleagues will attest to that—but when we look at the overall picture of government and what we spend and all we do, I think we are kind of scraping the bottom of the barrel when we're trying to save on a few frames to people who hang them with pride in their living rooms until they die.

My idea is that perhaps we should not issue the frame type of scroll to people celebrating an anniversary between 40 and 49 years, but when someone has been married 50

years or when someone has been on this earth 80 years and is still alive and well. Particularly when someone's been on this earth 90 years and more, surely to goodness somewhere we can present a scroll that is really nice and has some meaning to it, rather than a frame, whatever.

If we reduce the price we're going to reduce the quality and that's what I'm afraid of. I suggest we could save considerable money by presenting the plastic folders up to 49 years of the anniversaries etc, and then we could stick to the original that we're doing now for folks celebrating their 80th birthday and on and their 50th anniversary and on. I think that is a pretty fair compromise.

I know government is supposed to be run lean and mean, but really the amount we're trying to save here is like Scrooge in the overall big picture of running government. With that I'll close my comments, Mr Chair.

**Mr Girvin:** Could I respond? Thank you very much. As you can see, I did show some smarts and discretion by not getting into criteria. I knew that would provoke a lot of discussion so I only stayed with the one item, and that was just in terms of scrolls and frames.

With regard to the criteria about who gets a gold-looking frame and who gets a scroll with a folder, that was hammered out in 1989 in a similar committee. I'm quite happy, as a survivor, to stay with the status quo. Certain people are eligible, and if it's a 50th wedding, 60th, 90th birthday or 100, then there is this frame. As I understand it, there are a variety of other criteria in terms of smaller numbers for wedding anniversaries. We are prepared to stay with the status quo in terms of what we're playing with. We were looking for some direction in terms of potential costs, say, being on what has already been decided.

I don't think, with a fairly large budget and a lot of decisions, that \$37,000—obviously I wouldn't be coming to committees or whatever if I didn't think it wasn't a sensitive arena in terms of all of the members, so I expected some discussion. I am not that naïve. I would like to stay, sir, with the status quo as far as criteria are concerned, unless somebody else has a cost-saving initiative I can deal with.

**Mr Mike Farnan (Cambridge):** First of all, I would want to commend the minister for initiating this restraint.

This is a small budget item, but often this is very symbolic. The fact that ministers are examining their budgets very carefully gives me greater confidence in my cabinet colleagues and in the approach of the government to fiscal restraint. The member for Frontenac-Addington, the honourable minister, with whom I had the pleasure of working, I know to be a man who is extremely conscious and extremely careful in the manner in which spending would take place under his ministry.

I've had letters from seniors who have been grateful for having received what is in effect a very beautiful plaque. But the letters have also gone on to say, "But we wonder why you're sending this to us at this time, when you're telling us that we're in a time of restraint." So the senior who's out there—

**Mrs Barbara Sullivan (Halton Centre):** How many thousands of letters did you say?



**Mr Farnan:** No, I said I've had letters, and I can attest to at least three.

**Mrs Marland:** They only get them by being requested by their families.

**Mr Farnan:** No, there are plaques that are sent out, indeed, through some of the seniors' homes, that are requested automatically through seniors' homes. Even when an individual's family hasn't requested it, the home itself may request it, so I would correct the member on that point.

The point I am making is this, that when you look at the situation, I think you can say to yourself, "Well, it's a \$7 frame," as opposed to a frame of this nature, which I think is quite beautiful, quite presentable and which also provides for an individual member to place a congratulatory certificate from the member himself in his own riding. So what you have are duplicate congratulations, one from the province and one from the member, in a nice folder for which I believe the cost is somewhere in the region of \$3.

We should be very careful, I think, in giving weight simply to the manner in which something is presented. I agree that it should not be presented in a shoddy manner. I certainly am not comfortable at all when the presentations of other levels of government, whether it be federal, provincial or municipal, would be referred to as a pathetic presentation from the municipality. The fact that the municipality has recognized this individual's significant date in his life is very important, as is the fact that the mayor or an alderman has gone forward and brought a certificate. But it also might say to the taxpayers that that mayor or municipality is being careful in the manner in which funds are dispensed.

I do agree that we should look at the presentation. I think this format of presentation is some \$4 in savings on each presentation that's made, yet it is a very beautiful presentation. I certainly am not at all embarrassed to go to a senior citizen or a couple who is celebrating an anniversary with a scroll in something as beautiful as this.

1610

I would come back to not just being sensitive to members. I think all of our members want to be sensitive to the needs of seniors, people who have lived a long and fruitful life. But what is it that they want?

I think they look to us in government to legislate services that will give them some security in their old age, some sense of security in terms of services. I don't think that wrapping up a more expensive certificate is what gives them that security. I think what gives the senior that security is a government that is concerned about fiscal restraint. It's not a big savings, but I think any senior or any couple at 40 years or 50 years of marriage, whatever—the rationale is that this government simply is presenting you with a very nice certificate. I don't think anybody would question it.

On this particular issue, I would be reluctant for this committee today simply to endorse the proposal that's before us. I certainly support the proposal that's before us. I think the minister is being sensitive to the individuals receiving the material. The plaques will be presented very well. But the minister is also saying to all of us on all sides

of the House, "My job as minister is to be fiscally responsible, and I want your support."

I think it would make some sense for us to go back to our caucuses. There seems to be some division of thought on this, and I really think the members should look at it. But certainly I will, at the appropriate time, suggest that we take a week to reflect on this matter and to receive input from our colleagues. I think that's important. I don't think we should be simply saying, "This is what we're going to do." I think the minister has come forward with a good proposal, and I think we can come back next week and make a decision and a recommendation.

**Mr Stephen Owens (Scarborough Centre):** Being a person who has also appeared in the illustrious pages of *Frank* magazine on two occasions and in two issues, I'm wondering how they're going to report the flights of oratory that have taken place on the issue of framing today.

In terms of the constituents I serve, and I have a high proportion of seniors in my riding of Scarborough Centre, they are certainly concerned about how their dollars are spent. I think the fact that they are receiving something from the government is just as important as how it's packaged. I'm certainly not averse to moving to the folder package. Perhaps the suggestion that my colleague has made with respect to going back to our caucuses has some merit.

I have two questions. I am going to assume that you have a number of these gold frames left in stock. How long would it take to implement the decision, and would that affect the cost savings projected?

**Mr Girvin:** Three months' supply, I understand.

**Mr Owens:** In terms of the folders themselves, are they available for purchase by members for our own personal use?

**Mr Girvin:** Not to date. But much the same as—Barbara Speakman's issue that she was addressing to the Chair and clerk earlier was the option about paper or other things.

The part of the structure that you're playing with, obviously on something that is small in a dollar sense but important in light of the dialogue that we've had this afternoon, is that because it is government greetings, it comes from the Ministry of Government Services as opposed to the Legislature itself, even though 95% of the requests are done through MPPs.

The easiest solution obviously would be to have it as part of the Legislature and then you could deal with the issue of cost and caucus and other considerations. But the structure, that the Ministry of Government Services is involved in this item, is because the greetings are from the Premier, as I understand it, even though it is a service primarily to the members of the Legislature. Much in the same way if, for example, one were dealing with a printing issue of this we would probably tender, but there would be some sort of arrangement in which you would have a portion if the Legislature were buying something directly.

The reason you would separate it is that on a cost recovery basis we spend the money. The money goes into the consolidated revenue fund in terms of the Financial Administration Act and therefore we're out of pocket on that. That's just a technical detail that doesn't allow for a recovery from the Legislature.



**Mr Owens:** So then in terms of our role here today, the polite subtext I hear is that the minister has essentially made a decision with respect to this issue and that we are simply here discussing it in an advisory manner rather than a decision-making capacity—just so I understand.

**Mr Girvin:** Could you repeat that question, please?

**Mr Owens:** In terms of the comments you've just made, we're here to act in an advisory capacity rather than in a decision-making capacity, that the decision has been made to move?

**Mr Girvin:** No, the decision has not been made. Obviously, if a decision such as this were within the parameters of dealing with intergovernmental departments, it would have been made and we wouldn't be dealing with caucuses or all-party committees. But in light of your being the client base, we deemed it to be propitious that we deal with an all-party committee.

So you're more than an advisory committee, and I think Mr Wilson would take the input more than just in terms of advisory. I can make a determination on the basis of input from the Chair and his colleagues about where we're at on that, depending on whether there's any closure or conclusion. Certainly, since 95% of these are requested or streamed through constituency offices, we will take that into heavy consideration in terms of decision-making.

**Mrs Sullivan:** I sat on this committee in the last Parliament when this issue was covered thoroughly. The question of not only the proportion of framed documents but the nature of the documents themselves was before the committee, and there was some study and considerable discussion from all parties and from all caucuses.

At that time the current decision and the current status were concurred in and agreed to, and it seems to me the approach that was determined at the time, which in fact lowered the cost of the frames, changed the cost from the previous materials that were used, has been a workable one.

In my view, the status quo is the appropriate approach. I understand why Mr Girvin is here. He is looking for some cost savings within his ministry. That's his job. Our job, it seems to me, is to ensure that the needs of our constituents and the recognition that is requested for our constituents are protected.

The traditional route for these celebratory greetings has been via the member. This is comparable to what is done in every single province of Canada and at the federal level, although the federal level does not use the plastic covers. I think one other province uses the plastic covers—Alberta. They are large and green and they are more difficult to handle than these. But it seems to me that the compromise that was made during the last Parliament was the appropriate one and the view of my caucus would be that the current situation stay.

1620

**Mr Drummond White (Durham Centre):** I think we've had a thorough discussion of this issue and we certainly have seen the pros and cons. The alternative methods, the criteria, we haven't discussed in detail, but I'm sure they're appropriate criteria.

These are very difficult times. Frankly, I think the plastic file folders are very attractive and would look very nice upon a mantelpiece. The opportunity still exists, though, to vote whichever way you wish on this issue. I think it's incumbent upon us in these difficult times to look upon all areas of savings, and therefore I would move that the committee endorse the minister's advice and suggestion.

**The Chair:** Thank you, Mr White. Any further discussion? Margaret.

**Mrs Marland:** Before we accept that as a motion, I didn't hear that as advice from the minister through his deputy. I heard it as information for us to discuss, and I'd like to be very clear: Is it your recommendation, Mr Deputy, or are you simply doing what I heard you say, which was bringing the information for us to make a choice?

**Mr Girvin:** Obviously, every week we're involved in a series of constraint exercises, so if you have 30 businesses and you're looking at certain components of this, you are looking at any opportunities.

This one is quite small obviously; it has a lot of sensitivity which has been expressed this afternoon, and we knew it would. Therefore, we are looking for advice from this particular committee and I would be interested in some form of a recommendation about what you think we should do.

Obviously, I don't believe that a department or anything else is going to win or fall on the bottom line of this particular change, but it is something that does have some cost savings and we feel we have a responsibility to bring it to the users for some direction.

I would appreciate some direction from this committee and then I would bring that back to my minister in terms of how we proceed. Certainly he is more than aware that it is a sensitive issue in constituencies and he has to deal with the tradeoff of constraints and serving the public and constituents the same as all members.

**Mrs Marland:** I respect what the Minister of Government Services is trying to do. He's trying to save money, and I respect that and I think every minister in this government should be trying to save money. But I think what we have here is an unfortunate situation where obviously either all the ministers sit at the same cabinet table and don't play the same tune, or they don't choose to play or hear the same music.

It's very interesting to have this recommendation or information brought to us from this particular ministry at the same time that another ministry, namely, the Ministry of Culture and Communications, chose to spend \$3,300 to fly Margaret Atwood from Paris to Ontario to pick up a \$12,000 cheque for her book award. If we're going to be very sincere about making cuts in our award system and our system of recognizing Ontario citizens, then we'd better be consistent, because in the case of Margaret Atwood, who happens to be probably one of the wealthiest writers we have in Canada, never mind Ontario, and who resides in Ontario most of the time, in that particular instance the award ceremony could have been held at a time when she was in Ontario. However, it was arranged when she happened to be living in Paris for a few weeks.



I'm simply saying to this government that if it wants to demonstrate restraint, then why doesn't it demonstrate restraint? Where is this kind of cutting going to end? If we choose not to recognize our senior citizens—who, by the time they've been married 40 years, I guess they are—and if we choose to start cutting this stuff out, then I have to wonder what's next. Are we going to cut out the Ontario Achievement Awards, the Order of Ontario medal, the recognition for volunteerism which is done by every government, the disabled awards that are coming up on June 4? We just did the volunteer awards about two weeks ago.

We can cut if we want to. If our priority is that we don't recognize excellence, we don't recognize volunteerism, we don't recognize anybody for anything, then be that as it may, but I don't want to be part of that kind of Ontario. I want to be part of a province that decides there is merit in recognizing our citizens.

If we're looking for this amount of money, which works out to about one third of a cent on the population of 10 million people in this province, then maybe we could look at some of the real wastage in this government. If you want to make a simple comparison, some expensive receptions might be interesting to look at. We could look at any ministry and still find the government having expensive receptions and parties. I'm sorry, the facts are there. I don't have the time or the staff to do the research, but I'm sure there are people who would be willing to do that.

If we're going to decide that we're going to start to nickel-and-dime our senior citizens in this province, who, as far as I'm concerned, deserve this scroll recognition of an important milestone in their lives—and I ask you, Mr Chairman, what is the difference between the couple who has been married 40 years or 50 years and a senior who is celebrating his 90th birthday or his 80th birthday? I think we give one at 80 and one at 90, then 95 and 100.

What is the difference between recognizing those milestones in their lives, which for them are significant? If they are still fortunate enough to have families around, it's a very significant, happy occasion for their families. What is the difference between doing that and giving a \$12,000 book award to someone who is already a wealthy writer in Canada? I mean, who are we going to recognize? Are we only going to recognize those people who are already elite, who already have money, and decide we can't afford to do this scroll presentation that we're discussing here this afternoon properly?

If we can't afford to do it properly, then I suppose we might as well discontinue it. But I think the ludicrous suggestion that you put this plastic folder up on your mantelpiece—I mean, really that's just a prize. As far as I'm concerned, I feel the cost of the frame doesn't have to be what it is. I gave an example earlier of a frame that I buy for less than half the price of this, and I'm not buying it at a bulk price. I notice also that this has plastic in it and it's probably more expensive than glass. I don't know about that, but it's possible.

I'm simply saying that if you really want to start attacking a recognition of our seniors, who nobody will ever see at a posh government reception in this building having sandwiches and sometimes wine, I might say, if we think

it's fine to—I was at the volunteer awards two weeks ago in the Lieutenant Governor's suite, and don't let us be mistaken here. The Lieutenant Governor hosts the reception for the volunteer awards for this province which I totally endorse. But at that reception, there was wine served, a very elegant refreshment which is always served in the Lieutenant Governor's suite, and which is totally paid for by the people of this province the same way these scrolls are paid for.

All I'm saying is, these scrolls are just as important in the lives of these individuals who may never, ever be eligible for any other kind of recognition in their whole lives. Goodness knows, isn't 40 or 50 or 60 years of marriage worth recognizing? I think so. For the people whom we recognize on these other special occasions such as the disabled awards and I've mentioned the volunteer awards, the community action awards—I don't know how many awards we give out in a year in the big category where the people get invited into these hallowed halls and are—I wouldn't say winned and dined, but they are given a very nice reception.

1630

The cost of one of those events would possibly outstrip the cost of the differential that's been brought to us this afternoon. I'm not criticizing the ministry for bringing this. This is one ministry that has brought a question that I agree, Mr Girvin, is a decision that has to be made by the members. I respect you for bringing it here for that reason. But what I'm hearing is, "Let's go back and talk to our caucuses." Listen, folks, we went back and talked to our caucuses about another matter. You don't have that short a memory. Talking to our caucuses and coming back with a full endorsement—we find out whether that works. If you want to go back and discuss it with your caucus, fine. That's your choice.

I'm simply saying that if this is where we're going to start cutting, I would rather see us cut some of the big-dollar items like a \$12,000 book award for one individual than cut out 20,000 citizens of Ontario who have enjoyed for the most part—Mr Farnan mentioned two or three letters he'd had. But if we're looking at 19,000 recipients of these scrolls which become family heirlooms for those families, if that's the kind of Ontario you want to be part of—if anybody on this committee or anyone in your caucus wants to vote to discontinue these or reduce the style of presentation, as far as I'm concerned, if you're going to start making it a cheap presentation in a plastic folder, then I think if you can't do it properly, I don't see any point in doing it at all.

If that's what you want to do for these people who are in that age group that has supported many, many millions of dollars of programs in this province through their taxes for all the years they've paid taxes, and we're saying at the end, "We can't afford a \$3 frame for their scrolls," I will not be a part of it because that's not my vision for Ontario and it's not how I feel about the seniors who have given their lives and their blood to this province.

**The Chair:** We have developed a long list of speakers again.



**Mrs Marland:** I'm sorry, I hope you realize that this form I sent around is the one I use in my office; it is very negligible in cost for your personal greetings.

**Mr Mills:** I was always under the impression that the standing committee on the Legislative Assembly was strictly non-partisan and that was the nice thing about it. I'm rather alarmed at Margaret going on about it. But I do agree with her in quite a few things she said. I think basically that the seniors I've presented these scrolls to cross all party lines. Without exception, they were very, very pleased. I think we're honouring the ordinary people of Ontario and that—dare I say it? I get caught up on everything I say, but I believe in speaking the truth at all times—it's a slight if you reduce the quality of what we're doing in reference to their contribution to Ontario.

I would just like to ask the deputy a question. Perhaps I didn't understand it, but my suggestion that we use the frames for certain categories: Are you saying to me, sir, that's in effect now? I didn't quite get what was going on.

**Mr Girvin:** First of all, I'd like to clarify that I'm not the deputy minister, but thank you anyway. What I was—

**Mr Mills:** Margaret called you the deputy and I thought she knew.

**Mr Girvin:** No, but thank you.

If the all-party committee does make those decisions, maybe that might be an easier decision than the one we're dealing with here. I wouldn't like to become the archivist or the historian of scrolls. But as I understand it, in 1987 a decision was taken by a comparable group and it was agreed that the so-called plastic frames that have been discussed today should be introduced.

In 1989 it was decided, as one of the speakers mentioned, that there should be certain criteria and an upgrading of frames relative to a 50th wedding anniversary etc. As I understand it, there was a rather extensive discussion about working on that matrix and framework and all parties agreed that if you had a 55th wedding anniversary, you would get an X frame. We are being wise enough not to open that up from our perspective. We can always adhere to any direction from the Chair of the committee. There is a framework that's in place, sir, that was agreed to in 1989, and neither the minister nor the civil servants who have to implement this are suggesting that we change that framework at this time.

That's why I was making reference to your previous comments, and in terms of the comments about the "plastic" frames, it was agreed that those plastic frames in 1989 would be used for certain birthdays and certain anniversaries. There was all-party agreement. We are not that masochistic that we thought we would open up the guidelines again right at the moment in terms of—

**Interjection:** Good morning, Vietnam.

**Mr Mills:** I rest my case because I don't intend to get involved in anything like that.

**Mr White:** First off, in regard to the motion which I have put before us, I refer my colleague Ms Marland to the letter or the memorandum to Noel Duignan. If you read the title of the memorandum, it says "Proposal for cost savings." I believe when I stated my motion I said "advice" or

"suggestion." I'm sure the clerk would agree with me that the intent is reflected in the letter and in the background documentation we have, whether it's advice, suggestion, proposal. I think they are equivalent words. I would suggest the motion is a valid one and should stand.

In regard to the issues which the member brought up, I don't feel that the volunteers reception or that travel arrangements for Canada's foremost and indeed one might say North America's foremost writers are relevant. When we are looking at a specific item, we're looking at how savings can be achieved. If we had before us the budget for the Lieutenant Governor's reception for volunteers we could examine that. We do not. If we had before us the Minister of Culture and Communications' budget we could examine that, we could suggest that savings could be made. We do not have those things before us. We cannot make those suggestions.

I think to assault the volunteers of our province who have put in countless thousands of hours, to assault the very—

**Mrs Marland:** On a point of privilege, Mr Chair: In fairness, Mr White is not even taking what I said out of context, he's saying something totally different and attributing it to me. Fortunately we not only have written Hansard, we have a visual Hansard which will prove that I totally endorsed the recognition of volunteers and all the other awards that currently exist in Ontario. That was not the point of my debate, and I think my privilege in Mr White's comments has been violated, Mr Chairman.

1640

**The Chair:** Thank you, Margaret. Mr White, I remind you that this committee has always operated on a very non-partisan basis here and that we have always tempered our arguments in that manner.

**Mr White:** Just as my colleague Mr Mills suggested, that's quite the case.

Anyway, the issue of the merit of the canapés at the reception or the budget for the canapés, those kinds of issues, I don't think are things which are before us. Instead we have before us a relatively small item in the grand scale of things. Unlike my colleague the member for Durham East, I think that when I go to someone's reception, when I make a presentation, a fine presentation as that would be, that is what has real merit and that is what people will remember as well.

The issue of the frame of course is something. If I thought a metal frame were significant, I could purchase it from my global budget, as could any other member. But regardless of the arguments for and against, the suggestion was brought up prior to my motion that this issue be referred back to people's caucuses so that members in all caucuses could have the opportunity of their input. So despite having made the motion, I would like to move deferral of that for two weeks, I guess it would be.

**The Chair:** We have a couple of first-time speakers here and maybe we'd let them a shot first. Carman, do you wish to participate?

**Mr Carman McClelland (Brampton North):** I apologize for coming late. I did not realize there was a motion on the floor specifically. What I'm speaking to



may or may not have any direct bearing on the motion. I'm in your hands, if you allow me to proceed. I don't want to get things out of order here.

I want to ask just two questions in terms of information. Regardless of how many scrolls we use and how they're handled and so on, I want to make two inquiries. I understand the production of this particular blank is contracted by the Ministry of Government Services in some considerable bulk, and as well that just the frame itself is purchased at a cost price of \$7 per unit. The extent that a number of MPPs use scrolls in their own ridings for a variety of things is a case in point.

I was just speaking with Ms Speakman a moment ago. This week there'll be two or three Girl Guides who will receive the highest achievement award available, the Canada Cord, the all-round Canada Cord, and I will present them with the scroll. My question, as the local MPP, that flows from that is what arrangements, if any, could be made whereby the Office of the Assembly could perhaps purchase these in bulk on a buyback or accounting process, and then we members could order a quantity from the Office of the Assembly.

My sense is that if we could do that, we could obtain these at a much reduced cost than we could in going out and buying them, as I do, 100 or 200 at a time; likewise with the frame. I wonder if we could explore the possibility of that, and if there's some way we could flow it through the Office of the Assembly and make that available to members who would then use their budget at their discretion as they saw fit. Any information you could provide me and my colleagues would be most appreciated.

**Mr Girvin:** The shorter answer is that yes, I think there can be that level of accommodation. What we would probably end up doing is to deal with the tender and to work a separate arrangement between the Legislature and ourselves. As I explained in an earlier question, we're not into the ability to deal in terms of the accounting between the Legislature and the Ministry of Government Services, but I believe Barbara and myself and staff could work out some arrangement that would allow that to be part of a supply for the Legislative Assembly, so I do not see that as a difficulty.

**Mr McClelland:** Can I add a supplementary to that?

**The Chair:** A quick one.

**Mr McClelland:** I suppose there are a couple of things that would have to follow from that and I suppose it would be incumbent on us to go back to our respective caucuses, find out some estimates—I imagine there would be a fairly broad range of estimates but I think we could probably get a handle. What would be the quantity required in each case for the printing of the document in blank form and the frames to make it viable as an option? Is there a benchmark, a few hundred, a couple thousand or whatever it might be, just so we know whether it's even worth pursuing?

**Mr Girvin:** I think it's worth pursuing. If we ran into an obstacle, then the staff would liaise with Barbara and we would get back to you. But certainly we buy in bulk in terms of both frames and the paper, and I think that would be an economical way of delivering your request.

**The Chair:** Thank you. We look forward to your comments on that particular item.

Returning to the original debate, Mr Cooper, I understand you have a comment.

**Mr Mike Cooper (Kitchener-Wilmot):** We seemed to be losing a bit of focus here during Mrs Marland's little speech earlier. She was talking about not recognizing seniors. There's no question about recognizing seniors. What we're discussing is the delivery of the scroll. The scroll is going to continue to be delivered. What we're talking about is whether we go with the metal frame or whether we go with the plastic folder.

Personally, I've been finding when I'm out doing deliveries—and I usually deliver them myself by hand—and when I'm in a lot of the seniors' homes, they aren't allowed to put things on the walls, so they really appreciate getting the plastic folders. That's one thing we should take into consideration. They usually can't get anybody to put a nail in or else they're limited in whether or not they're allowed to put something on the walls. So to be able to put it on their bureaus, they really appreciate it.

One of the things Mrs Marland brought up was, she was talking about a lot of these things turning into heirlooms, which means they get handed down to the family. The family usually isn't going to put them up on the wall. They're going to put them in safe keeping. I think the plastic folder's an ideal thing to have for safe keeping, for the family members to treasure for ever memories of their parents or whatever.

So from personal experience, I think the plastic folder is the way to go. Personally, when I first started getting them, I thought that was a nicer thing and I actually thought they were more expensive than the frames. For my riding and my constituents, I would say go with the plastic folders completely.

**Mrs Sullivan:** Just to introduce a note of levity, there is a member of this House, and I won't mention that person's name, who, even after the proposed recipient is deceased, still delivers the plaques for the very reason that the family wants them as heirlooms, and does that up for up to six months following the death. I thought that was quite a novel approach to this whole thing. I said frankly, I would have simply removed the plaque from the frame and used the frame for another purpose.

**Mr Girvin:** Was it plastic or glass?

**Mrs Sullivan:** Always framed.

This might not be quite on topic, but I think it becomes an issue about the jurisdiction of this whole thing, which is problematic. I sat on the Board of Internal Economy some time ago and at that point issues relating to the precinct were discussed and some of the responsibilities relating to what appeared to be members' services, which were then in fact involving the Ministry of Government Services, were left in a kind of abeyance with contractual relationships having to be made and so on and so on. Ultimately, a memorandum of understanding was developed so that certain areas of the precinct and certain responsibilities that had been carried by MGS in fact became the responsibility of the Legislative Assembly, largely through the Board of



Internal Economy, with many recommendations coming from the committee.

This whole issue is one of those never-never land issues, which is really a members' service issue that we're talking about, because it isn't the individual member who is recognizing the constituent, it's the government that is recognizing the constituent. That has been kind of left there in MGS because it's a government situation rather than a members' situation. Indeed, it has always traditionally been seen to be a member's determination of the value and the approach to these issues, even though it's kind of left out hanging.

There are still a couple of other issues that are left with MGS. I think, because I am faced with this, of the garage in the Whitney Block, where there have had to be negotiations back and forth about how members can have access to that garage, which is not considered part of the precincts but part of the MGS operations. MGS reacted in fact to some of the members' concerns, including my own, first of all by giving us a key so that we could get down there without having to walk through the entire tunnel, and second by putting crash bars on so that we do have access that's safe and so on.

I think the fundamental question here really is, should this belong in MGS in the first place, or is this really a matter that should be considered in the Legislative Assembly budget? The problematical area is, it seemed to be a government plaque, so I'll just put that on the table. Maybe David would like to address that or perhaps Barb would like to speak to it.

1650

**Mr Girvin:** I agree that is the generic issue you're facing on a variety of fronts in terms of the Legislature and the Ministry of Government Services. I think there's always been good accommodation between the two parties in trying to work out the appropriate resolve.

As I understand the issue, it is because it is the government providing greetings and a sign by the Premier that makes it a non-legislative function. Quite clearly, the orders in council, the Attorney Generals, the request, the variety of 8,000 scrolls are part of the government and should remain with MGS. If you're talking in terms of any other area, you are the client. Eighty per cent are directly requested by the constituency offices of the members. Of the remaining 20%, only 5% are done directly, and the rest are flowed. So some 95% are there.

Certainly, if we had our druthers we wouldn't be here on a \$37,000 item since December, obviously, when you're dealing with millions of dollars. But it is a sensitivity in terms of the Legislature, and whether it be parking or a variety of other things, we recognize that we have the Speaker and the Legislature and the Ministry of Government Services in terms of providing common services. It's appropriate that we invest this level of time to find out if we can work out some accord.

Certainly from my perspective, depending on the outcome here, I'll take the advice back to my minister and will make some determination about what occurs on this particular item, but I thank the member for bringing up the

larger issue. Quite clearly, I believe this would be much better residing within the budget and the dictates. Barbara can have this career opportunity of meeting every three years to deal with the guidelines because I think it is in the backyard of the Legislature. But I don't expect that to be resolved today. It was really out of courtesy and respect in terms of the difference of the Speaker and the Legislature and all three parties that we wrote to the Speaker back in December.

**Mr Farnan:** Initially I had put forward a suggestion that this be referred back to caucuses. Now I'm more and more convinced that really we should refer it back to the minister. What I see here in the correspondence is a request for our advice and help, that's all. There is no request for a decision or a direction, so basically, I think the members of the minister's staff have heard a very wide-ranging debate here this afternoon, some of it in favour of keeping the frame, some of it in opposition to it. I would suspect that within our individual caucuses, one would hear differences of viewpoint.

I always chuckle when I hear somebody wrap the banner or wave the flag about some particular group as though they or their caucus are the champion of that group. I think all parties probably would want to champion sensitivity and respect for our seniors. I don't think there's an individual member. Occasionally there's some giant—I'm thinking of our federal colleague Stanley Knowles—whose whole life is committed to advancing the cause of seniors. There are individuals like this. But by and large, I think most people recognize that seniors have made a significant contribution and deserve to be recognized.

There are so many items here. On one hand, I think we are very much in a restraint mode. There is no question in my mind that the public out there and we as politicians are much more sensitive to the fact that indeed there is a new reality of restraint. That's a given. When I heard the history of some of the awards, references were made to the 1980s. Indeed, the 1980s were a very affluent time. There were decisions made in the 1980s that were perhaps more generous than decisions that will be made in the 1990s.

So we look at this. Some people can be cynical about this award system and suggest: "What is in this for MPPs? What is in it for seniors?" Just as the minister is touching base with members of Parliament about this particular recognition, I think the minister would want to touch base with seniors' organizations and individual seniors to examine how seniors themselves wish to be recognized. I think that would be a much more legitimate base for testing the waters, to go to seniors and say: "Okay, in this time of restraint, how would you like us to recognize you? Here are some of the options." Get some feedback that way, as opposed to a member of Parliament who's delivering a plaque.

So my recommendation is that we simply allow the discussion to find a point of closure this afternoon, that the members of the minister's staff take back the various views they've heard, and that we perhaps go to our caucuses and simply say, "If anybody wishes to have input, they can contact the minister directly."

**Mrs Sullivan:** That's a good idea, Mike.



**The Chair:** I think I'll allow just two more speakers on this particular issue: Mr Owens and Mrs Marland. I think we've had a really thorough debate on this particular issue right now. Mr Owens, briefly.

**Mr Owens:** In the interest of brevity, I'll yield to my colleague. I think we've beaten the horse to death on this one.

**Mrs Marland:** I don't know how many committee members remember that just about a year ago, I think it was, we discussed the fact that what went on the scroll itself had changed. Remember? We eliminated even the year. We made the scrolls totally insignificant. The year was taken off; it didn't say "the Honourable Bob Rae, Premier of Ontario" any more.

**Interjection:** I think the member's name was taken off.

**Mrs Marland:** It took off the part "presented by." There was a decision made on these scrolls which, fortunately, we were able to reverse a year ago. To me, it was senseless to present a scroll that didn't have a date on it, for goodness' sake. You look at that scroll a year later or 10 years later and, "I wonder when old so-and-so was married 40 years." I could never understand how that change was made in the ministry without talking to anybody. But anyway, through a number of us bringing it to this committee, we did get that situation reversed.

I think it would be totally unfair for the ministry to come to this committee and spend this amount of time on something that is important to the recipients and not give the ministry an answer. I'm not about to agree with Mr Farnan and say let's have closure and let the ministry go away and decide what they've heard. They've come here for some leadership, should I say—dare I say?—and some guidance.

I don't know what motion you have on the floor now, Mr Chairman, but I think we should have a motion and make a decision. If you have a motion of Mr White's now, maybe we could hear what the motion is and then perhaps we can vote on it and perhaps place another motion if that motion doesn't pass.

**The Chair:** David, do you have—

1700

**Mr Girvin:** I didn't want to be a Vice-Chair. Maybe a quid pro quo would be that I could take back the interesting input that's been provided today, if you wish to deal in terms of caucus or other considerations, but we would work on some arrangement that if a change was being implemented we would come back to this committee in due course. If there is no change, we will remain with the status quo, and I think that might be an appropriate quid pro quo for the four points of view I've heard today.

As one who deals with a variety of budget cuts—I believe I have to find \$X million in the next week or so—this is not quite going to fulfil all the targets, and it was identified in December. If it were \$100 million, we might not have spent this amount of time. If that is appropriate, I'd be very happy to go back to my ministry and minister. I don't know if that meets your approval, Mr Chairman.

**The Chair:** Thank you, David. Margaret brought up a couple of points regarding the cost of the frame itself;

maybe you could take a look at the cost of the frame and see if there is a way of reducing the cost of that.

**Mr Girvin:** A quick answer is that we buy in bulk, and it's the eight and a half by 11 versus the smaller size you're playing with. When you're playing with that size scroll for the printing and the aesthetics, it is slightly different in terms of the scrolls. Is my understanding correct in that? Is it the same size?

**Mrs Speakman:** I don't know; I've put yours away.

**The Chair:** Mrs Sullivan brought up a very good point in relation to exactly where this particular service belongs, either in your ministry or in Legislative Assembly. I was wondering if this committee can get some advice on that and get that particular option looked at and explored.

**Mrs Speakman:** When it comes to what services the Legislative Assembly provides, we provide services to members which are in connection with their parliamentary responsibilities. This program is, and always has been to date, a government program in which the members participate; therefore it was determined that it was not one of the programs the Legislative Assembly would take over from the Ministry of Government Services, as it really is a government program. That's not to say the members might not want to look at the program and discuss it at some point, but that was the rationale for not taking it over.

**Mr Owens:** If we're exploring the issue that Carman brought up, perhaps we could also explore making available the folders for members to purchase, if that's possible. You seem to be hesitant about that.

**Mr Girvin:** What we've worked on is much the same arrangement, in which we would go out for tender on that for a bulk purchase and work out some arrangement between the Legislature and the ministry financial accounting. If that's the desire, Gary Brown and Barbara can work out some arrangement, the same as Mr McClelland suggested.

**Mr Owens:** Great, because I think they are suitable for some purposes.

**Mr Girvin:** We'd be happy to do that.

**The Chair:** Thank you. The Chair is at the direction of the committee. Is it the wish of the committee to act on the advice of the assistant deputy minister?

**Mrs Marland:** Excuse me, at the moment you have a motion. Was it withdrawn?

**The Chair:** Yes.

**Mr White:** I moved postponing or deferring it, not withdrawing it, at the moment.

**The Chair:** Sorry. I stand corrected.

**Mr White:** Does the motion to defer require a vote? I thought it usually did.

**The Chair:** It's not necessarily done by a vote, but it can be done by agreement.

**Mr Owens:** In the spirit of non-partisan discussion we've endeavoured to have in this committee since its inception and since I came to this place, I would say the ADM has made a reasonable suggestion. We all seem to think it's a reasonable suggestion and I would respectfully request that my colleague withdraw his motion.



**The Chair:** Mr White?

**Mr White:** Fine. Withdrawn.

**The Chair:** The motion's been withdrawn. Does the committee stand in agreement with the suggestion of the assistant deputy minister? Agreed.

**Mr Girvin:** Unless I'm making changes, I won't be back here.

**Mrs Marland:** Not for three years anyway. Thank you very much for coming.

**Mr Girvin:** Thank you. It was most enjoyable.

**The Chair:** I wish to thank the assistant deputy minister from the Ministry of Government Services for coming along here this afternoon, as well as Barbara Speakman, the executive director of assembly services.

#### LETTER

**The Chair:** Time is passing, and we have a second item on the agenda. Everybody's got a copy of a letter from Mr Shulman?

**Mrs Marland:** Did we discuss this before?

**The Chair:** No. This is new.

**Mr Farnan:** Could you share with us any information you have received that could help us with this?

**The Chair:** I have, through the advice of the clerk, suggested a draft letter. Maybe I'll get the clerk to give his opinion on the whole issue. It's the best way.

**Clerk of the Committee (Mr Doug Arnott):** My advice to the committee would be that the committee does not presently have the authority to consider this matter.

**Mr Farnan:** Would this mean that the matter is referred to legal counsel or that the matter is dropped?

**The Chair:** At the direction of this committee, we could write a letter to Mr Shulman indicating that this committee does not have the right to do what he wants to do; doesn't have the authority to do it.

**Mr Farnan:** I move that such a letter be sent.

**The Chair:** Thank you. The motion is that the committee write a letter to Mr Shulman indicating that this committee does not have the authority to do what Mr Shulman is requesting.

**Mr Owens:** I think you should be a touch more fulsome and add, as the remarks were made in the House: "Parliamentary privilege, immunity and blah, blah, blah. And by the way, you're a former MPP. You should know better."

**The Chair:** We will take your comments into consideration. Thank you. Is there agreement of the committee? Agreed.

Any further business before the committee? Seeing none, the committee stands adjourned till two weeks today at 3:30.

The committee adjourned at 1708.









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### STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

- \***Chair / Président:** Duignan, Noel (Halton North/-Nord ND)
- \***Vice-Chair / Vice-Président:** Farnan, Mike (Cambridge ND)
- \*Cooper, Mike (Kitchener-Wilmot ND)
  - Johnson, Paul R. (Prince Edward-Lennox-South Hastings/Prince Edward-Lennox-Hastings-Sud ND)
- \*Marland, Margaret (Mississauga South/-Sud PC)
- \*Mathyssen, Irene (Middlesex ND)
- \*McClelland, Carman (Brampton North/-Nord L)
- \*Mills, Gordon (Durham East/-Est ND)
  - Morin, Gilles E. (Carleton East/-Est L)
- \*Owens, Stephen (Scarborough Centre ND)
- \*Sullivan, Barbara (Halton Centre L)
  - Villeneuve, Noble (S-D-G & East Grenville/S-D-G & Grenville-Est PC)

#### **Substitutions / Membres remplaçants:**

- \*White, Drummond (Durham Centre ND) for Mr Johnson

\*In attendance / présents

**Clerk / Greffier:** Arnott, Douglas

**Staff / Personnel:** Yeager, Lewis, research officer, Legislative Research Service



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Second session, 35th Parliament

## Assemblée législative de l'Ontario

Deuxième session, 35<sup>e</sup> législature

## Official Report of Debates (Hansard)

Wednesday 27 May 1992

## Journal des débats (Hansard)

Mercredi 27 mai 1992

## Standing committee on the Legislative Assembly

Conduct of members

## Comité permanent de l'Assemblée législative

Comportement des députés



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# LEGISLATIVE ASSEMBLY OF ONTARIO

## STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Wednesday 27 May 1992

The committee met at 1543 in room 151.

### CONDUCT OF MEMBERS

**The Chair (Mr Noel Duignan):** I would like to call to order the standing committee on the Legislative Assembly. Seeing a quorum present, there are two items of business before the committee this afternoon dealing with suggested changes to the standing orders.

The first witness appearing this afternoon is the Honourable Marion Boyd, minister responsible for women's issues. Welcome, Minister. Please make yourself at home, as we say around here. You're welcome to make whatever statement you want to make, and I'm sure the members of the committee have a number of questions they may wish to ask.

**Hon Marion Boyd (Minister Responsible for Women's Issues):** As a member of provincial Parliament, I'm concerned about the atmosphere of disrespect that prevails in the Ontario Legislature. As the minister responsible for women's issues, I'm especially concerned—

**Mr Gregory S. Sorbara (York Centre):** Minister, if I might: I'm just wondering, if the minister is reading from a prepared text, whether she has a copy for committee members.

**Hon Mrs Boyd:** The clerk was supposed to have handed them around.

**Mr Sorbara:** Sorry for the interruption.

**Hon Mrs Boyd:** As the minister responsible for women's issues I'm especially concerned about discriminatory language and behaviour that contributes to this atmosphere of disrespect. Standing order 23 states:

"In debate, a member shall be called to order by the Speaker if he or she:

"(k) Uses abusive or insulting language of a nature likely to create disorder."

In direct response, I suggest: (1) the qualifying phrase "of a nature likely to create disorder" is unnecessary, because any abusive or insulting language is reason enough for a member to be called to order, and (2) "abusive or insulting language" be amended and clarified to include any reference to gender, race, ethnic origin, religion, disability, age or sexual orientation—characteristics that should not be a basis on which to question a member's credibility.

I acknowledge that legislative procedures are by nature adversarial and sometimes hostile. Part of the process is to challenge members of opposing parties and often to question their credibility. Some grounds for these challenges are acceptable and some are not. It's perfectly acceptable to raise in the House the question of a member's record in the House, inconsistencies in his or her party's position, proven or perceived conflicts of interest and other matters of direct relevance to the member's statements and track

record, but it is not acceptable to attack a member on grounds of her or his race, ethnic origin, disability, age, sexual orientation or gender—characteristics that are beyond a member's control, that a member need not apologize or compensate for having and, when attacked, only serve to demean that member personally and the group generally. We are here to debate, not to demean.

Let me emphasize that such references don't have to be slurs, epithets or outright insults. Just yesterday one woman cabinet minister had to preface an answer with this: "I have a bit of a problem in that the member continues to refer to me as 'Mr Minister' each time he asks me a question. I have to keep reminding him that the portfolio has changed and that it rests with me now." The opposition member made light of the situation by retorting, "I'd love, of course, to call the minister 'lady,' but I'd be in big trouble with her own caucus."

We have to understand that when one member refers to another as "the lady from" rather than "the member from," or, in another recent case, when one member repeatedly calls the second "the honourable lady," he is doing more than violating protocol. He is separating her from the others who sit authoritatively in the House. Above all, he is trivializing her role and legitimacy as an elected representative, the role that allows her to be there in the first place.

The same goes for tone. Recently an opposition member questioned a young woman cabinet minister using an explicitly patronizing and coaxing tone usually reserved for small children. Rather than legitimately challenging the cabinet minister, his condescension trivialized her authority. It also suggested that he was less interested in getting an answer than in demeaning her.

Considerations of government, opposition and cabinet caucus status aside, a member is a member is a member. All are equal as representatives and all should be treated with respect.

Besides verbal attacks and manipulation of tone, other forms of behaviour clearly discriminate but are harder to quantify. This behaviour comprises a range of efforts to humiliate and intimidate members, usually women, as they fulfil their elected roles in the House. Non-verbal tactics include: significantly increasing volume—that is, more heckling, coughing, hissing and so on, when a woman rises to speak, introducing a wall of sound before she's even started her words; blowing kisses across the floor of the House, and mocking the higher-pitched voices of female members.

Videotapes of House proceedings provide ample evidence of these tactics. As such, they are not the imaginings of overly sensitive women who can't take the heat of the legislative kitchen. The fact that the noise level suddenly and regularly rises when women stand, especially women cabinet ministers, means there is more than mere coincidence at work. These tactics are employed primarily



against women in an attempt to intimidate us, diminish our authority and reinforce the idea that the House is not meant to be our home.

In June 1991 the federal House of Commons standing committee on health and welfare, social affairs, seniors and the status of women released a report entitled *The War Against Women*. Among its 25 recommendations were the following:

"That Parliament mandate the Women's Parliamentary Association (WPA) to study, and present a report...on existing systemic barriers to women's full participation within the House of Commons and its support services, and to make recommendations for the elimination of such systemic barriers;" and

"That the Canadian Advisory Council on the Status of Women be invited to conduct gender sensitivity programs for the members of Parliament."

1550

As minister responsible for women's issues I not only support those recommendations but suggest that similar steps be taken by our Ontario Legislative Assembly.

I also wish to address the issue of language. It's no small consideration that the word "Parliament" originally meant "talking shop." MPPs must understand that language not only reflects but also shapes thoughts, perceptions and attitudes.

The United Nations has documented that men own over 99% of the world's resources. Given the wealth of psychological and material resources at their behest, men are in a position to be heard. According to Dale Spender, author of *Man Made Language*, "It is one of the characteristics of patriarchy...that one-half of the population is able to insist that the other half sees things its way."

The use of non-sexist language is more than a gesture to accommodate feminists. It's a matter of communicating democratically, with accuracy and fairness. The same is true of language that is sensitive to racial, cultural and religious differences as well as differences in physical capabilities, age and sexual orientation.

I am not recommending that the Ontario Legislature set a new standard for society. I am recommending that it catch up to the standard that society is already setting.

Five years ago, for example, a staff person from the Ontario women's directorate was advocating inclusive language to a group of freelance writers and editors. Her suggestions met with indifference and resistance. This year, the same staff person was talking to a group of editors and medical writers, one of whom told her that clients are now insisting on inclusive language. Even when clients don't request sensitive language, the writers themselves do. They know the public is demanding more of communicators, and elected representatives should know that too.

Some argue that exclusionary language and behaviour are subtle things, because they require reading between the lines and rely on the perceptions of the excluded to be understood. In fact, the subtlety of exclusion exists only in the minds of those doing the excluding, intentionally or not. To those being excluded, the message "You don't belong" is loud and clear.

Of course, whether discrimination is intentional or unintentional is irrelevant. Monitoring discriminatory language and behaviour with the aim to reform is crucial to both maintaining and, I suggest, restoring the integrity and efficiency of a Parliament.

As a Parliament we're responsible for getting the people's business done. Imagine how much more business can be conducted when the Speaker doesn't have to rise every other minute to call a member to order, or when the rules about what constitutes discriminatory language are precise enough that the Speaker need not wrangle with the member about them. This is the value of my suggested amendment to standing order 23(k).

As a cabinet minister too, I'm accountable to the public. When I answer a question it should be heard. All too often the very person who asked the question on behalf of his or her constituents also participates in a group attempt to drown out the answer. What then is the use of question period?

These observations take us back to my original concern: general disrespect in the House. Not long ago I invited some women to watch me announce a strategy against family violence in the House. They came, they watched and, long before question period finished, they left.

In a letter, one of the women explained why they had departed early. They were so "disgusted" by the "shouting, finger-pointing and name-calling" in the Legislature that even viewing it from the visitors' gallery was too much. "It should be noted," wrote the woman, who is an expert on violence, "that verbal abuse is the same as physical abuse." Her impression of that day in the Legislature speaks volumes to the need for reform now.

I have available as well a number of quotations from all parties—this is a problem that happens with all of us; this is something we all need to change our behaviour about—that have been collected over a number of years that really show that this is a very endemic problem and that if we are considering reforming the rules of the House, we have a responsibility to reform them to prevent this kind of behaviour on all our parts.

**The Chair:** Thank you, Minister, for your presentation. I now open up the floor to questions.

**Mr Mike Farnan (Cambridge):** Minister, I think all members in all parties are sensitive and supportive of approaches that will improve the climate for debate in the House and I would like to commend the minister for bringing this issue to our attention. All members, regardless of gender, I believe, benefit from an orderly and civilized legislative forum.

In the brief, Minister, it stresses to some extent the effect of inappropriate behaviour on women legislators. I wouldn't like it to be lost in the shuffle that the reality is that inappropriate behaviours, while creating a poor image for politics and politicians, do have an effect, a detrimental nuisance effect and an intrusive effect, on all legislators regardless of gender. I would like you to comment on that.

**Hon Mrs Boyd:** I would certainly agree with you. I think the atmosphere we create for ourselves in the House is not respectful of the job all of us have to do. Part of our job obviously involves the fact that we do not always



agree with one another on how to do things or even on what to do. When we start to use ad hominem comments, when we start to cast aspersions on people, particularly around gender, race, religion, those sorts of issues that are very meaningful to who we are as individuals, it really creates an atmosphere which is difficult for all of us to live in and to work in, particularly when we're responsible as a government, as a group of people who've been elected to represent all sorts of people who come from all those groups.

If we are making those kinds of comments and acting in that way and modelling that kind of behaviour, then whatever we do as legislators in terms of trying to establish an equitable framework in government is going to be looked at with great scepticism by the members of those groups, and that's very serious. It really affects the kind of credibility we have as legislators.

**Mr Farnan:** Just in terms of the balance of your presentation, I take it that in terms of the examples you are going to distribute to the committee, which you have already indicated will probably reflect inappropriate behaviours from members of all parties, I think perhaps what didn't come out in the presentation, and I would like your comment again, is that sometimes in responding to a question, the same problems of tone can be the cause for an unsettling behaviour among opposition members. Again, I'd like your comments.

**Hon Mrs Boyd:** I think that's true. I certainly think those answering questions are not immune from using sarcasm, from making remarks that are often seen by the opposition parties as demeaning their right to ask a question. I think that is something we all need to be aware of. I think this goes right across all parties and whatever our position may be.

We do have to be mindful of the way in which our tone, the manner with which we answer questions, may in fact make a member feel as though he or she does not have a right to ask that question. Of course, it is an inherent right of opposition parties to ask questions. I would agree with you very much that this is something we all need to be watching.

**Mr Farnan:** Would you agree that, in reviewing the standing orders, there is a need for this committee or the parliamentary reform committee to be conscious that there's a fine line between bringing in new wording and new standing orders? You mentioned sarcasm, for example. Sarcasm is a highly developed skill. Some of the most famous quotes in history and in the political process itself are very refined matters where individuals have cast a beautifully, well-honed, sarcastic remark.

1600

**Hon Mrs Boyd:** I think you are right, although we might argue as to whether those are memorable or ironic or sarcastic. I think that's a bit of an issue.

I think, going back, there is more to it than just that. One of the things that gives rise to a lot of this is whether we're following our own rules in terms of the length of questions, and whether questions are questions or speeches, and that therefore the response answers the elements of the speech as opposed to answering the question.

I think we get ourselves into a mode of argumentation that is not particularly fruitful to the kinds of questions members and also the general public may have.

I think it's both those things. Yes, I think we have to be careful not to limit the wit that may be there. I think we all recognize that this has always been part of the parliamentary tradition, but when it is hurtful to people, when it demeans them as individuals, when it calls attention to their inherent characteristics, we need to be very, very clear that it's inappropriate.

**Mr Farnan:** So if it's funny or irrelevant, it's okay.

**Hon Mrs Boyd:** As long as it's not personally hurtful.

**Mr Farnan:** Right.

**Hon Mrs Boyd:** It's the ad hominem sort of thing that really creates some difficulty.

**Mr Farnan:** Minister, there is a process under way, I believe, where all parties have put forward a representative to a parliamentary reform committee. My understanding is that the work of this committee is to look at ways of bringing the standing orders into line to meet the requirements and needs of the 1990s. I'm sure all caucuses will be giving some very serious reflection to that and I would recommend that your proposal be passed on to that committee. I would like to hear perhaps from the opposition members present if they would be comfortable with that approach and if you would be comfortable with that approach.

**Hon Mrs Boyd:** It's certainly fine with me.

**The Chair:** Are you making that a motion, Mr Farnan?

**Mr Farnan:** I really don't want to do that until I feel there's a comfort level among the opposition parties to that approach.

**Mr Sorbara:** I guess I could say to the minister first of all that this is a rather interesting submission. I would comment that the recommendations she is making are in some respects inoffensive. The first one sets out a suggestion which recommends removing of the phrase "of a nature likely to create disorder." I think that our Legislature is often characterized by some disorder. I'll comment on that in a moment or two. The second one suggests that abusive or insulting language be amended and clarified to include a reference to gender, etc.

The reason I say your submissions are interesting is because, having sat in the Legislature for seven years now, for the most part I am unimpressed with the quality of the debate or the conduct in the Legislature. But what I love about the place is its protection of the freedom to say whatever you want as an elected representative.

I think the balance of your submission doesn't support so much the recommendations you're making as it does represent a complaint that the place is of a demeanour generally that is offensive. I'm offended that you suggest it's particularly offensive to women, because I think that is not the case. I think it's offensive to anyone who would be anxious to have a much higher quality of debate.

But to me, the primary principle of a democratic system is the freedom of an elected representative to say even the most scandalous things in the assembly. I'm a little bit surprised that a minister responsible for women's issues



would now want to be qualifying language and trying to legislate tone. The reason I say that is because, having been a politician for a number of years and a human being for 45 years and a women's minister for two years, one of the things I know for sure is that all of the great achievements of society in respect to equality for women have been based primarily on women speaking out in what was, at the first point of expression, considered to be scandalous language. Even women suggesting they had the right to vote was at one point considered by the majority of the population to be scandalous thinking.

**Hon Mrs Boyd:** The male population anyway.

**Mr Sorbara:** That's right. You make the point in your remarks here that the male population was and still is in control. Thankfully, we have completed a long history of debate on whether or not abortion should be a criminal offence in Canada. That was resolved successfully and miraculously in a tied vote in the Senate. But I remember when it was considered scandalous even to suggest, in a Legislature like our Legislature, 50 years ago that women had that inherent right. I think a member would have been called to order, advocating that women commit a criminal offence.

None of us likes the tone. I think it has much more to do with the subject matter coming out of the mouths of members. I recall many occasions when members, your own leader, our Premier, were standing in the Legislature making eloquent, passionate, articulate, reasoned, thoughtful and well-enunciated speeches on a wide variety of subjects. There would be a hush in the room. The electronic system wouldn't have been necessary because the silence and the attention to the words of the member for York South and many other members—I'm not going to go into a long list, but I just think of those occasions. My own former leader has had those occasions as well.

I think the best way to deal with the problem you're referring to is for each of us in our caucuses to think a little bit about the extent to which we want to think more before we speak in the Legislature. But there are occasions—and I think of one just today: the point of order raised by our house leader about the rather insulting comments of the government House leader concerning our frustration of the business of the House, not in a House leader's meeting but to some journalists in the *Globe and Mail*. It gives rise to a mild degree of disorder because it's so offensive to us. Maybe parliaments will raise the standard of their debate over a period of time, but I'm really surprised that you would think in terms of bringing in some sort of constraint in the rules. We have to think very carefully. Did you know, for example, that the Legislature is the one place where a statement which would otherwise be slanderous is permitted? Under the laws—

**Hon Mrs Boyd:** Mr Sorbara, I do know the rules.

1610

**Mr Sorbara:** Well, if we permit that, then should we constrain someone who calls a woman a lady? Should we constrain that? My goodness, you can't say that. I fear this is arguing for a kind of political correctness and linguistic correctness that is maybe where we're going and is maybe the path down which we're travelling, but my goodness, to

argue that we need a set of rule changes to insulate members from, admittedly, sometimes, the brutality of the Legislature, I think is to attack the foundations—and I believe this strongly—the foundation stone of democracy in a way that truly surprises me, particularly in that it's coming from someone who advocates so strongly on such important issues. If I might just finish, all of those issues have been based on the courageous ability to speak out in an unqualified way, and that right being protected by our democratic system.

It is, I agree with you, a brutal place. In 1986 I sat in the Legislature day after day while the opposition Tory party tried to make allegations that I was a corrupt individual. Other members of my caucus were the victims of the same brutal attacks, not based on sex, gender, ethnicity or anything else. It hurt so deeply. Let me just give you an example.

My former colleague the member for Oakwood was, I think, the victim of those sorts of attacks. I campaigned with her on the streets of Oakwood during the last campaign. I recall encountering, one early morning at a bus stop, someone coming up to her and saying: "I would never vote for you. You have disgraced the Jewish people." That was the result of an attack launched—I have to put it on the record here—by your party. I condemn the attack, but I do not want to qualify the right for anything at all to be said in the Legislature, in a democratic system.

I've had lots of people come to question period just like you did. I assign the ticket and get them to sit at that time in the east gallery, and they're all excited because it's the first time they've ever attended question period and about 20 minutes later they have slipped out. I don't invite them any more. I know they do watch; more and more people watch. The accountability for that happens in a democratic system, to be in the voting box when that member has to account for her or his activity, when that person goes back to the people to seek re-election or someone else goes to seek that nomination and to be re-elected.

None of us likes the kind of catcalling and insults that are often thrown across the table, but if there's anything at all that we should agree on in a non-partisan way as parliamentarians, we should agree not to constrain the right of free—and that includes offensive speech in the Legislature.

A gazillion things happen in a democratic society that are offensive. I think probably you've been involved for much of your life in campaigning against pornography because it's offensive and because it's degrading. But the underlying interest of free speech says that in a democratic society we have to tolerate it, and our efforts to raise the standards and raise the level of humanity have to be done within a context. Any time you start to constrain that, and most particularly when you start to constrain that in a Parliament and in the Legislature of a Parliament, you are inherently and by implication advocating that the same constraint be available and be placed on any organization, and worse still, on any individual in society.

We just can't do that. If we start to do that, to think in those terms in protecting an individual, whether that individual be a woman or a member of a visible minority—I find the expression "visible minority" offensive. Do I have the right, in the Legislature, to require that the Speaker call a member to order when he uses the phrase "visible minority"?



**Hon Mrs Boyd:** That's one of the issues we would like to determine.

**Mr Sorbara:** But I put it to you, who is ultimately to decide? Is it the government that shall decide whether we shall categorize people and exclude people on the basis of their colour? Is it appropriate to use the word "Negro," or is it only appropriate to use the word "black, and who should decide? In my view, particularly in a Parliament, that decision ought not to be made, and it certainly ought not to be vested in the ad hoc judgement of a Speaker. I reiterate: Sometimes it's an offensive place; sometimes it's a brutal place, and sometimes the conduct of members makes me, and I think every other member of this Legislature, want to simply say, "Mr Speaker, I resign my seat because I can't take it any more."

I say once again that I'm very surprised you would be advocating that somehow we put a political correctness or a civility that simply doesn't exist in legislatures, I don't think, anywhere in the world.

**Hon Mrs Boyd:** Mr Chair, I wonder if I may respond to that.

**The Chair:** You may respond, Minister.

**Hon Mrs Boyd:** First of all, I'm very glad you reminded me of the history of how any change has ever happened: because someone has had the courage to speak out and name something as not being appropriate, because that's exactly what I'm doing today. You said we have to have this kind of brutal atmosphere in our—

**Mr Sorbara:** I'm not saying we have to have it.

**Hon Mrs Boyd:** I want to finish, please.

**The Chair:** Order, please.

**Hon Mrs Boyd:** You say this is the way it is and the way it's always been, and you remind me of Mr Roblin in Manitoba whose speech against women's suffrage said exactly that: that these are brutal places and women are too delicate to be able to hear this kind of language. The issue is that we don't have to hear that kind of language. We can make an agreement among ourselves and change the way we behave. We can make that agreement as people who ought to respect one another. We do not have to behave in the way that people have behaved in the past.

We are changing that behaviour in many ways and in many other forms. Certainly if we can't change it ourselves and if we accept that kind of behaviour that uses slurs on people's race, gender and sexual orientation, which happens regularly every week in our Parliament, then we ought to be ashamed ourselves. We are here as legislators who are trying to change our society, and if we're saying we can't change ourselves and the way we react to one another in that place, then I really question whether our credibility is very good.

I believe we can. I believe we are decent human beings who can make agreements about behaving in ways which are respectful of one another as legislators and as equals. I do not think it is appropriate for us to say that because we fail sometimes in terms of using ad hominem arguments against one another that we should sit back, fold our hands

and say: "It's a brutal place. What can we do?" That's nonsense.

1620

**Mr Sorbara:** I simply respond to the minister by saying that I think she has misconstrued my comments in a serious, and if I might, somewhat offensive way. I did not say that is the way it has to be. I said and I reiterate, in a free and democratic society, the underlying right to free speech, even if it is offensive at times, is the most important foundation stone upon which our society is based.

With respect, I did not say it has to be that way because it's always been that way. I am simply saying that the strictures we place on ourselves must be based ultimately on the right of an elected representative to speak her or his mind freely and openly with the fewest possible restrictions that a legislative body can come up with. Constitutionally, that gives us the ability to do everything else. I reiterate the example of pornography, which I think the majority of society finds terribly offensive. Pick another example: If you canvass the people, I think the majority of them would be in favour of capital punishment. The pollsters suggest that is the case, but we set a different standard.

In a democracy you simply must protect, as the first and primary principle, the ability to speak out, because that is the basis upon which all of the other battles are won. In a democracy, obviously, that free speech must be available on the street to organizations, but the primary abode of that right and the place from which it all flows is the Legislature.

**Mr Stephen Owens (Scarborough Centre):** On a point of order, Mr Chairman: Are we looking at time limits or are we going to listen to this—whatever one wants to call it—for the rest of the afternoon?

**The Chair:** As you know, we started off this debate with no time restrictions on it. However, bear in mind, all members of this committee, that we do have another issue in front of us this afternoon and I know there's a number of members who also want to get in on this debate. Rather than go back to people who have spoken, I would give a chance to people who have not had anything to say yet. I think Mrs Sullivan was next on the issue, and then I will go across the floor.

**Mrs Barbara Sullivan (Halton Centre):** I think the minister has brought to the House in the guise of one issue a larger issue. I think what she is generally addressing is the decorum of the House, the evenhandedness of the Speaker's rulings, the sense of discipline that comes as a result of existing rules through the Speaker's rulings dealing with members of the House firmly and with dignity and all members of the House in that situation.

I find as a woman legislator that my experience has been that there is no other job probably in Canada and perhaps in North America that is as free of sexual bias in terms of the demands, the responsibilities, the approach that is expected and required of women who participate in the House. Their responsibilities as legislators, their duties to their communities, the demands that are made from constituents are equal on women, as they are on men, and the responsibilities that are expected are equivalent. I think that women in the House can be as aggressive in their



participation and in their decisions to participate or not to participate in any particular activity that forms the ultimate totality of the responsibilities of a member.

I was quite interested at the beginning of the New Democratic Party term of office that there was some speculation, particularly from women legislators newly elected, that the House would become a kinder, gentler place because there were more women involved as legislators. To me, that was itself a sexist remark, because it seems to me the assumption that kindness and gentility is a function only of being a woman is something that should be put to rest. We want, and indeed we need, women to be aggressive in the pursuit of issues of justice, in pursuit of issues of equity, in pursuit of fairness and responsibility in terms of fiscal management of the economy. I found that assumption, as it was expressed, rather offensive as a woman.

As you know, I served here as a backbencher when the Liberal government was in office. I saw both women and men legislators being hounded and viciously criticized on a personal basis by the opposition, including members of your party and, if I may say, especially members of your party. I think what occurred at that time, and what is still occurring and would not be corrected by your proposals for amendment, is that those attacks were totally apart from the arguments being put forward at the time. The person was never separated from the debate. I think that is a shame and I think it's wrong. Unfortunately, it happened then and it continues to happen now.

I don't think your suggestions would solve that problem, because in fact your suggestions are exclusive rather than inclusive. If you're talking about changing the rules specifically in relationship to race, to gender, to age etc, you still don't catch the vicious personal attack. I was reminded, actually, in looking through your argumentation, about what is now considered wonderful wit of Winston Churchill. At the time, for example, when Lady Astor said to him, "You're drunk," and he said, "And, madam, you're ugly, but tomorrow I'll be sober," that was considered very witty. In fact, in the annals of parliamentary wit it's still referred to as something that is considered to be very funny. In my view, there is a little bit of a sexist nature to that, and in fact there is more than a sexist nature; there is a personal attack there that was inappropriate. On the other hand, the attack that was made by Lady Astor on Winston Churchill was equally personal. I think that under your rules, neither of those situations would have changed.

I look at some of the remarks we've heard recently in the House. I think you've raised the question of "Mr Minister." Frankly, in my view, that was an honest mistake. That was not intended, and I think it's unfair to the member who made that error to raise that as an issue. I don't see, frankly, the sexist attitudes in the House that you see. What concerns me more are comments made. I will use one made by a minister of the crown recently that I as an opposition member found deeply offensive, when a minister of the crown referred to those people on the other side of the House as "fascist bully-boys." I noted your response on that occasion because I know you were as offended by that—

**Hon Mrs Boyd:** That's right.

**Mrs Sullivan:** —as everyone on our side of the House was, and many other people on your benches were. But it seems to me that that kind of remark could not have been brought to the attention of the Speaker, nor could the Speaker have ruled, under your exclusive categories. So to my mind, existing rules are in fact more inclusive, and the Speaker working with a firm hand and respecting the dignity of members can make the existing rules work to ensure that those issues which are offensive not only because of the race, religion, culture or age categories you have brought forward but because of other issues that are pertinent, leave the Speaker with a larger hand in dealing with them.

1630

I think the recommendation of Mr Farnan that this be considered by the rules committee is definitely an appropriate one. I think people will want to consider in fact whether the Speaker's rulings should be narrowed, which I believe your suggestion does, or if it should be expanded to give the Speaker additional powers.

I am concerned, certainly, with some of the issues my colleague raised in relationship to the political correctness of language. We know how words and the use of words, particularly as women, have changed over recent years and how some people are offended by not having the "man" or "woman" attached to the word "chair." I always get a chuckle out of Rosie Abella, who talks about being called a chair now, in relationship to being a person, when what else would they call her; perhaps a table or something?

I think the sensitivity of women is one that has been adapted and understood broadly over the past 10 years, largely. Before that I don't think people understood how the use of language could be offensive and seen to be a putdown just in terms of the normal language. In English, the points have been made. The points in other languages and the sensitivities, the political correctness of the use of those words, is a substantially different issue. So in some ways what we're talking about is political correctness in the English language, which also worries me in terms of some of the discussion relating to sexist language in the House.

I don't find the Legislature a sexist place. I am more concerned about the viciousness of personal attacks that are separated from the debate and from the legitimate argument. Indeed, I've said this in this committee before and in other places: What concerns me far more is the lack of depth to the debate, for whatever reason that occurs, whether it's lack of research or lack of preparation or inadequate time. Those are matters that it seems to me, were the members to put more attention to them, the level of debate generally would be elevated.

**Hon Mrs Boyd:** I wouldn't disagree with either of your contentions that the level of debate is certainly not what I would like to see it be, nor do I think it's what those who voted us all into office expect it to be. The fact that we're talking about that openly here may remind us all to use whatever influence we have with our own parties to try and improve the level of debate, because frankly, I think our voters deserve better than they have been getting. I think the atmosphere we have contributed to, all of us—and I certainly agree with you and I was very clear, we are



talking about all parties here; we have all contributed to this atmosphere—is really not becoming to us as elected people. We really need to be mindful of that.

I find it interesting that you both have used the language of “political correctness,” because you know it pushes certain buttons with the press and trivializes and demeans what is being said—

**Mrs Sullivan:** No, I don't think so.

**Hon Mrs Boyd:** —when people talk about what it feels like to have ad hominem comments directed at you around issues you cannot resolve.

I made it very clear that in terms of the cut and thrust of debate that involves someone's credibility as a minister, that involves either their track record as a minister, what they have actually done or not done, whether there's a conflict of interest, all of those things are fair game. That is part of what we're here to do. There are probably ways in which we need to do it to ensure we are talking about what people do rather than the innate person they are. I think that would benefit us all.

I would suggest that in fact I was not suggesting in my proposed recommendations that we narrow it. I think it is narrowed because it talks of an order to create disorder. Many people, when they are slammed with racist or sexist comments about themselves, certainly don't create disorder; they become silenced. That is the issue. When you talk about free speech, part of the issue of free speech is about not being silenced by being insulted because of who you are as an individual.

If this isn't the particular way, if this isn't broadening it, which was indeed the intention, then perhaps we need to find ways to broaden the authority of the Speaker to begin to help us prevent ourselves from digging ourselves deeper and deeper into what I think the voters are increasingly feeling is not a good atmosphere for us to be debating in, if we can call it debate.

**The Chair:** Thank you, Minister. There are a number of speakers still waiting to speak to this particular issue. We haven't heard from the third party yet. Mr McLean, do you wish to pose a question?

**Mr Allan K. McLean (Simcoe East):** I'll be very brief. Sean has been around here longer than I, but I've been here some time. I have certainly seen the change that has taken place within the Legislature and I have never seen it change as much as it has in the last two years. When I look back some five years ago to the activity that took place in the opposition at that time, to me, that's where it started. It's unfortunate it has gotten to the stage it's at now. But you can't legislate discipline; discipline has to come from each caucus.

I'm not very happy and the people of this province are not very happy with what they're seeing in the Legislature. I feel bad for the students who come here and have to watch what goes on. I also have concerns with regard to the operation of question period. It went on for months and months before anybody would even call order. That wasn't what the Speaker wanted to do. I think it got out of control, and it hasn't changed. So to now come and think we're going to change it just overnight, that's not going to happen.

I think the legislative committee should be looking at some rule changes. I'm not sure we shouldn't be looking at periods and timing of questions and answers whereby people would get a fair share; you would know if you were going to be on or you weren't going to be on during question period. I think there has to be some fairness and balance in it.

The decorum in the Legislature is the greatest concern I have around here. I feel bad about it, and I hope the members will bring it to the attention of their caucuses, but you can't legislate discipline. I hope as time goes on it will change, but I have to say to you I feel I know where it started and how it has gone on.

Sometimes in the Legislature I even wonder if I'm being heard. I get the feeling sometimes that the government members really don't want me to ask questions because they don't think I should be asking them to be accountable. That's the feeling I get and I've had that brought to my attention by other people. So we're all in the same boat. If we're going to change it, it has to be changed by the committee, and I think there should be some changes in the rules with regard to how it operates.

**The Chair:** Minister, did you want to respond?

**Hon Mrs Boyd:** I agree with you. I think there are a number of ways in which we have to change it. I certainly agree with you that it goes across all parties and that there are a number of different things we all need to do. But we are here to talk about the rules of the Legislative Assembly, so this is one way in which I would suggest we can make some of those changes.

**The Chair:** Before we move on to the next speaker, I remind the members that Mr Farnan asked the opposition parties how to respond to his particular recommendation.

**Mr Farnan:** In terms of process, I think I picked up from Mr McLean—perhaps you'll correct me, Al—that he suggested this committee should deal with it.

**Mr McLean:** The Legislative Assembly committee?

**Mr Farnan:** Yes.

**Mr McLean:** I think that's their mandate.

1640

**Mr Farnan:** That's right, and according to the standing orders that is precisely what would have to happen. I also heard in the discussion, I think from Mr Sorbara, that he would certainly like to see some discussion within caucuses. I think that statement was made. I believe this route would provide an opportunity for further discussion. I don't think this committee locks itself in in any way by referring to the parliamentary reform committee which is looking at the overall omnibus package of reform. They have to bring it back to this committee and we ultimately have to take responsibility. All I'm saying is that I've heard enough debate here this afternoon to say, yes, there are some concerns here and maybe there's room for some more discussion. At this stage, if it's appropriate, I will move a motion that the presentation of the minister and the minutes of this meeting be passed on to the parliamentary reform committee.

**The Chair:** A number of other people have indicated that they wish to speak to this particular issue. If it's the wish of the committee that we take the motion right now—



**Mr Farnan:** Well, it's certainly helpful.

**Mr McLean:** Let's hear the other speakers.

Interjections.

**The Chair:** We have Mr Owens, Mrs Mathysen and Mr Conway left to speak. Mr Owens?

**Mr Owens:** I want to thank the other minister for coming today and raising what is clearly an issue of concern for myself and, I suggest, all members of this assembly.

The comments that came forward from Mr Sorbara—and I think you very eloquently responded to those comments—raise some questions I would like to ask you directly. In terms of going through this process, how do you educate male members as to the power relationship that exists between men and women, the inequity that exists and its application? How do you talk to people about the freedom of speech and why it's inappropriate to cloak inappropriate language in parliamentary immunity and some interestingly bizarre parliamentary traditions? How do you convince people that quantifying or limiting issues to terms of political correctness undermines and demeans the issue, and how does one get around that problem?

**Hon Mrs Boyd:** One of the things that is very real for people who feel they are being attacked on grounds of gender, race or physical ability is that we need to have enough confidence in ourselves and enough sense of support that we can name that as a violation of our privilege.

We have a colleague, Mr Malkowski, who has done that with us all on numerous occasions when we have unwittingly, I would say in every case, used language he feels is personally offensive to him as a person who has no hearing. When we use language—for example, I can remember one incident in the House where a member of the opposition made a comment about something falling on deaf ears and our colleague the member for East York stood up and explained as a matter of privilege why that offended him and why he would like that language changed. The member, to his credit, immediately said: "Of course. I hadn't thought about it that way, but now you've brought to my attention that it would be offensive to you."

What I am saying is that we have to set for ourselves an atmosphere in which we can protect our privilege. My colleague Mrs Akande, who used to sit next to me, was called "Big Mama" on many, many occasions—a racist, sexist comment—but because of the way the situation was did not want to call attention to that situation because somehow it took away from her authority and the importance and seriousness of what she was trying to do as a minister.

I think we have to find ways to empower one another to begin to name the things that are offensive and begin to deal with them, not in a trivial way.

**Mr Owens:** That's right. Just in terms of the conduct of the House, I have in my hand a sheet of letters that were sent to the Premier, and copied to myself, after I had brought a group from Scarborough to be recognized in the House. I'd like to read a couple of selections from the letters:

"Dear Mr Rae:

"On Monday, April 27, our class from the LEAP program came down to Queen's Park. We were invited to hear Mr Steve Owens, MPP, speak to the House about our program. I

as well as my classmates were annoyed, disheartened and thoroughly disgusted that grown men made such rude remarks."

Then towards the end the person says, "I hope that our new Canadians never get the chance to see such a disgusting display as we saw today!"

Second: "I was very disappointed they were not respectful to each other while discussing different issues. They set a bad example. I can't believe our politicians felt that these important issues weren't worthy of being taken seriously."

This is from a group of students, Minister, who are in a program that is available to help women over 40 who have been on social assistance for a year to re-enter the job market. I can assure you that they were appalled by the lack of decorum and the personal attacks, as Mrs Sullivan pointed out earlier.

I think that in terms of your brief, you're bringing it here only as a point of discussion and not a narrow ruling as to where you would want to see this issue go. I certainly support my colleague the member for Cambridge in terms of referring this issue to the reform committee for broader discussion.

**Mrs Irene Mathysen (Middlesex):** Thank you, Minister, for bringing this item to our attention. I think it's very important. I would like to say that I don't think the foundations of democracy will be shaken if we give up slanderous and demeaning language.

Second, I think your point is well taken. I cannot see how speech can indeed be free if it degrades and therefore undermines the freedom of someone else who wishes to participate in a parliamentary situation such as we have the incredible privilege of doing.

I did want to ask you a question. On page 4 of your brief you mention the federal report, *The War Against Women*, and the 25 recommendations, specifically about a Women's Parliamentary Association study of systemic barriers, and second, the Canadian Advisory Council on the Status of Women conducting gender sensitivity programs. I wonder if you have pursued that and if there is a concrete proposal you have worked on to bring to this House.

**Hon Mrs Boyd:** This, of course, was in the House of Commons in Ottawa. My understanding is that the 25 recommendations were not accepted, although I understand the Women's Parliamentary Association is continuing its study. I don't believe the gender sensitivity suggestion was accepted.

We in the women's directorate would obviously be very pleased to participate, as we do in the general public and among many professions, in talking about the sensitivity around gender language, race language and so on, because that's an expertise we have built in that directorate since its inception in 1983. That has been a major thrust of their work, to try and build that sensitivity in the general community. I am quite sure the directorate would be more than happy to do the same thing for us, so there are vehicles for us.

When we think how our language has changed and how our own sensitivity has changed over the years, particularly towards those who are differently abled or towards those who are of different races and languages, things that were acceptable in many cases are no longer acceptable.



The answer to Mr Sorbara's suggestion about how you draw the line is that you listen to how people define themselves and what they find is empowering. For example, most women prefer to be called women. It ought to be enough that they prefer that. That is the way they feel equal to men, men and women, and that works well. He raised the question of what black people prefer to be called: Do they prefer to be called black? Is it appropriate to call them Negro?

I think we listen to the people themselves and their self-definition. We're not afraid to ask. Many aboriginal people are now saying they want to be called aboriginal rather than native or Indian, but some of our native groups prefer to be called Indians and call themselves Indians. We need to be sensitive to listening to how they prefer to be referred to.

I don't think it's as complicated as that. I think if we are being empathetic and clear that the purpose of our language is to respect the privilege and the dignity of one another, we won't fall into those kinds of problems. It simply ought not to be a problem. If somehow we can make our rules reflect that desire to always reflect, in how we refer to one another, the dignity and respect to which we're all entitled, I don't think it's very complicated.

1650

**Mr Sean G. Conway (Renfrew North):** I want to thank the minister for coming in and inciting a debate that I think is probably timely. I appreciate the last exchange with the member for Middlesex because it reminds me, I think, that the common intention here will hopefully be good.

I've been around, as someone said earlier, longer than anyone. That's probably more a hindrance than anything else. I bear the lacerations of 10 years of parliamentary exchange with Dr Bette Stephenson. I remember well three years of being in a seat with Sheila Copps. I was even saying to my friend the member for Halton Centre that I sometimes experience the difficulty of trying to make myself overheard vis-à-vis the member for Oriole, and sometimes with the help even of the member for Halton Centre.

I have many sins of commission for which atonement is due, some of which I suspect are referred to in this document.

**Hon Mrs Boyd:** Only one, as I recall.

**Mr Conway:** That's correct. Let me go to page 3, because I looked at that and I thought—

[Laughter]

**Mr Conway:** I don't consider that a laughing matter. I apologize, because tone is something that I have no idea how you regulate. I've got very good ears. I've probably got some of the best ears in this Legislature. There are days I want to get up and just repeat what I hear. I hear the most remarkable things from some of the most unexpected people. I could embarrass a lot of people with what I hear, but I choose not to do it.

I was looking also at the reference here on page 2, and I thought it was a helpful point: "But it is not acceptable to attack a member on the grounds of her or his race, ethnic origin, disability, age, sexual orientation or gender—

characteristics that are beyond a member's control, that a member need not apologize..." etc.

I'm trying to think back over my 17 years. I can remember cases of a tripartisan nature where people have been stupid, insulting—where they have, in the main, been called to order, as they ought to have been. I think if I had been in the chair I would probably have called a few more people to order and I would probably have thrown a few more people out.

One of the keys to this whole process is the speakership. There is a great treatise, I think, to be written on the failure of the Ontario speakership. In the main, it has not been a particularly heroic past for a whole series of reasons, one of which I think is just the physical layout of the room.

I've had some very good friends who've occupied the job, the chair. But it's only in the last two years that we were able to eliminate the appeal of the Speaker's ruling. I would never take a job where my word was not final. I spent a lot of time playing hockey and refereeing hockey. The condition of any refereeing job I would ever take is: Give me a rule book and give me authority to exercise this rule. If Mills is bad, he's going to be sent to the penalty box, and if he gets lippy, I'll throw him out. If I heard anybody say what you said was said to the member for St Andrew-St Patrick—that is misconduct and that person is out. To me, that is in our rules. If it's not in their execution, then I'm all for improving on the execution.

Some really awful things were said publicly. I don't mean to be partisan. I won't mention any names, but boy, they were pretty terrible, and I remember the discipline being applied. Maybe the discipline wasn't firm enough, and I'm quite prepared to say that if someone gets up and says something about someone's native heritage, which was one of the cases I can remember, and someone else gets up and says what you allege was said to the member for St Andrew-St Patrick, I don't even want to debate the point. Either I want a total and abject apology or that person is out the door, and we think about terms and conditions for letting that person in. I'd like to be the Speaker for that day.

I remember the first question I was asked as a cabinet minister: "Well, do you, Mr Conway, as an apparently practising Roman Catholic, think you can effect the separate school legislation?" I thought it was a fair question, because I suspected it was a question that a lot of people would have had. I remember my NDP opponents in a few elections saying, "What this riding needs is a family man." I got the point, and people made the choice. I just really worry.

Again, let's go to page 3. "Recently an opposition member questioned a young...cabinet minister using an explicitly patronizing and coaxing tone usually reserved for small children." I can imagine somebody said, "Well, that was Conway in his cross-examination of Ms Martel."

**Hon Mrs Boyd:** No, actually it wasn't. That wasn't you.

**Mr Conway:** Oh, well, I'm flattered, because I'm sure there would be people who'd say—because some people said it to me—"Your tone was highly questionable."

I said, "Well, you know, my tone is one of absolute and abject incredulity when honourable members in Parliament tell me they're liars, particularly when they're people I



know and have known a long time and have no other experience to indicate that they are liars." I have a problem, and I suspect my tone, as it is now—I'm getting exercised—but when people tell me they're going to start calibrating tone, I hope we all understand what we're buying into. I want no part of that, because it leads down a slippery slope that I just don't want to even anticipate.

If people are in this House in 1992 blowing kisses across the floor, I want to know who they are and I will pay for their gender sensitization. I haven't seen it, and I can understand and I'm very sensitive to the situation, but listen, anything is possible. If I told you some of what I've heard privately—most members don't seem to understand the acoustics of that room, but they are very good.

**Hon Mrs Boyd:** Except to the Speaker's chair.

**Mr Conway:** That's probably true, but I'll tell you, words and sounds bounce off very interestingly, and as I say, I've heard and I've got some understanding for the member for St Andrew-St Patrick, because who wants to get up and repeat such obnoxious and totally inappropriate comments? But if it's going on to any extent, we clearly have to deal with it.

The Legislature of 1992 bears, in many ways, little resemblance to the Legislature I came to in 1975, for a couple of reasons. It's only television that's cleaned up the act to a greater extent, because now you can't stagger in drunk, as many prominent people did. You still can fall asleep, but you run a real risk. I gather in Ottawa they're going to start doing the wide shots, so if you fall asleep—Morty Shulman took a famous picture of a couple of rather expansive government backbenchers snoozing away 20 years ago. Morty Shulman said some of the most interesting things about people. He'd fail a lot of this test. Boy, Morty would be in big trouble, but that was 20 years ago and I accept that we've got to change.

The point I want to make is that if some of this is going on, and I don't doubt that it is, it's got to stop. I have a problem as a 40-year-old single male with some of the nomenclature, because I don't know where to start any more. I've seen some good friends of mine get in terrible situations. Some 65-year-old person, born in Upper Canada in 1920, trying in 1986 to talk responsibly in Parliament, and you know, what's bred in the bone must out in the flesh. Some of the language of his formative age or her formative age, which was a generation or two before mine, slips out in the person and sounds very *déclassé*. I'll use one example, and he got into terrible trouble over it: Ken Keyes. It sounded unfortunate, but I don't think he meant what was construed. But I could see how you could take some offence.

I look at the nomenclature and I think, "I'm with Clyde Gilmour." Clyde was on the radio the other day going on about how he refuses at age 70, or whatever he is, to refer to friends as pieces of furniture, but he's in a minority. It changes. One thinks of some of the language of 1992. For example, if you were to talk to someone who'd been dozing off for 25 years and used the word "gay," the person wouldn't have any clue of what a generation had done to that word.

1700

**Mr Gordon Mills (Durham East):** He might have just thought they were happy people.

**Mr Conway:** Exactly, and one of the most interesting things about the English language is that it's dynamic and particularly evolutionary. I don't know; as I say, with certain groups of people now I mutter, because I don't know what the proper phraseology is. I do not want to give offence, and if I do, and I have, I very much appreciate people saying, "That is unacceptable, inappropriate, and I would prefer you not use that." That I think is perfectly fair. If women find "lady" offensive, then I want to know, and I've been told by my friends it is offensive. The correlative of that used to be "gentleman." I guess being sort of a fool sometimes, I might well have argued then we should strike that from the lexicon. I don't think men find "gentlemen" offensive, and therefore by the test I think we could probably agree to, it passes.

I guess the point I want to make is that we are as individuals and as parliamentarians now part of an institution that has virtually no respect left, and we've got to be concerned about that. The world has changed and what was acceptable 15 and 20 years ago is simply not acceptable in many cases today. As was the case in 1970, things that were tolerated in 1940 were in some cases dispensed with.

But if we can agree on the difficulty, and I think most of us can, we have to then contemplate the remedy. I want to be fairminded. I would be very interested in any reasonable efforts, and perhaps some unreasonable efforts, that might be undertaken to deal with this, but I don't want to end up with—you know, the poor old Saskatchewan Legislature last week. They looked like a bunch of fools. I don't know what they were trying to do, but apparently, according to all the press reports, they were trying to constrain the humour of the place or something. I didn't see the debate, and all right, fair enough, but the point is that in the public debate they've lost the first round. They may win later rounds.

I'm just simply saying that if we're going to make some improvements here, and I'm quite prepared to recognize that they need to be made—and I come back, if some of what you're telling me is happening, and I can appreciate what it must have been like when women first came to this place. In this Parliament we've probably got more women than we've had ever before. I might make light of people like Sheila Copps and Bette Stephenson, but what it must have been like for people like Bette and Margaret Campbell and Sheila Copps to have come into this place 20 years ago. No wonder they became a bit strident. I probably would have been much more so.

I just caution people that we are going to have to find ways and means of dealing with the problem that address the problem and don't aggravate the condition or in fact cause some kind of collateral difficulty to occur. If as a former hockey referee I'm being asked to think about some calibration of tone, don't ask me to start quantifying that. I don't know how I'm going to do that. I'm going to make some judgements.



One of the things I've always thought we ought to do in this Legislature is we ought to give the Speaker one of those little buttons—I think he's got it—and the Speaker should be empowered to say, "A question to the honourable member," and this comes after, I think, a discussion with House leaders and with everyone, so this place is going to be made more civilized and as civilized as any Parliament can be.

Remember that "Parliament" derives from the French "to speak, to debate," rather than "to fight." It's not shop talk; it's debating and talking as a substitute for fighting and killing. I think the distance between the two benches was originally the distance between two swords outstretched. We ought to remember that.

We also ought to understand that Parliament as we know it derives from a little island culture on the west coast of Europe 125 years ago, when a small group of landed gentlemen who read Trollope decided what the rules ought to be, and quite frankly a lot of that is not very relevant to our contemporary experience. But I've always thought that one of the improvements we ought to make is the situation where the Speaker simply has control of that button and if Conway is not paying attention, if he's not coming to order, rather than debating the point, just move on, move on to the member for Oakwood, and it's not debatable. We've never done that and I've always felt that would clean up a lot of the problems a lot faster than a lot of other things, particularly in places like question period. Most people I know want to get on. The shouting and screaming—some of which I have done—is not very edifying in many cases.

Again, from my old refereeing days, if I didn't establish some clear rules early on, then I would be tested the whole game through. If I was firm but fair early on and people knew the rules were going to be applied, then I had some chance of winning the day. It seems to me that the Speaker in this place over most of my time has reminded me more than anything else of one of those—and I'm embarrassed to admit that I even know about this—referees in the professional wrestling matches. While the bad person is gouging the good person's eyeball out in full view of the assembled crowd, the referee is sort of distracted by some inanity in the upper tier. When the referee turns to the locus of his or her responsibility, of course, he or she must apply the rules in some perfectly unfair fashion.

I just make that as one small recommendation. I'm an aggressive, sometimes loud-mouthed individual who would, some might think, find it difficult to play by those rules. I'm quite prepared to play by those rules and say to the Speaker: "You're going to have the authority. It's not going to be debatable."

One of the best speakers we had was Jack Stokes, but Jack, in my view, allowed too much debate. You don't debate with somebody whom you want to put in the penalty box. If you do that as a referee, you're just dead. "You've had your chance at a question, you've blown it, and I'm moving on to the member for Scarborough. Now tomorrow, if you want to come back in here, then fine. But that's the way it's going to be, and if you don't want to play by those rules, either change the rules or, more likely, get somebody

else." It's those kinds of things I think we ought to do, and I don't hold that out as any major kind of reform.

One of the problems we've got in our place is that it's too small. If you turn the button off on me and I'm really angry—and I do get angry; today, to get the lecture about the House business. I can see how this Parliament has a problem because there are so many new members, but this is a rolling docket. David Cooke, the guy who would not let Bob Nixon read a budget; my Liberal friends who, when I was away in southeast Asia in 1982, rang those bells for days: I think that borders on fascism. That is fascistic. That may be terrible, but I tell you, the business of Parliament is to debate, and when you deny me the right to stand up and read a budget or fight about something, then I think that's—that may be too strong a word, but that's the word that comes up in my mind.

1710

One of the great things about the New Democratic Party coming to office, it seems to me, is that we've now got the three major political parties all with an experience in government. I think that will be an enormously useful aspect to help improve the general situation.

I will conclude by saying I appreciate the concern the minister has. I am particularly concerned, because it has not been my experience that some of the things—and I don't doubt that in the smoking room, and I didn't make a list coming in here, there have been some terrible things said. They just should not be tolerated. If they are being said in a way that is public in that place that can be—I mean, our Hansard has changed too. We used to have some very heated debates around here about getting the blues and seeing what was in them. I was not very happy because I heard some things that were pretty distinct and they didn't show up. You couldn't prove the point and the rest of it. Some of what you're saying here, this business of—are people really blowing kisses around?

**Hon Mrs Boyd:** Yes.

**Mr Conway:** If that's going on, that's got to stop. With regard to this business of volume and tone, I guess I'm very guilty. I do get exercised. I come from a part of Ontario with the old tradition of what the French call *l'assemblée contradictoire*. You stand up at a public meeting and you're there with your opponents. There might be 300 or 400 partisans. You've got to be heard and you might have to raise your voice. You probably do, and I do it too frequently.

But boy, I tell you, I sometimes look at this and say, "I'm just a poor fellow from eastern Ontario." From the way I look at this, perhaps some people in the back rows in this room are going to laugh, and they probably should laugh, because do you know what I'm going to say? I suppose there are days I could sit there and say, "God, poor old Villeneuve and myself and a few others, we're just a small rump from rural eastern Ontario and we haven't a hope against the mass legions from Metropolitan Toronto, greater London and greater Hamilton-Wentworth." I feel the deepest regional grievance. I could make that argument. I have sometimes done so, but I've got to watch how I play that card because it can be pretty precious after a while.



I just really caution people. So much of this is in the eye and the ear of the beholder. I mean, to have heard Bob Rae the other day on the question about the helicopter, I had some sense—I don't know; I'd better not say too much. I closed my eyes and thought: "This is Bill Davis. This is Bill Davis at his absolute best when it comes to tone." The only thing he wasn't doing was wringing his hands. Bill Davis used to get up there, and it was breath-takingly effective.

**Hon Mrs Boyd:** Distracting too.

**Mr Conway:** "I'm hurt. I'm very hurt." Tone is very subjective.

I'm all for being part of a triparty effort to improve our sullied reputation. I agree entirely that we've got to be much more sensitive to many of the new realities. We have simply got to deal with these kinds of excesses that are occurring, such as the ones I've indicated. I'm totally with you on not just cleaning them up but disciplining people who do those kinds of things. But I heard one of my best friends in the government say something yesterday and I was sort of tempted to get up. I wouldn't do it. He used a phrase. We've got to grow into this.

**Hon Mrs Boyd:** It's been suggested to me that perhaps that's part of our problem, that we sit on our hands, that we don't get up and talk about privilege when we do hear something like that, even if the Speaker doesn't leap at it. Perhaps one of the things we could do for one another is to encourage one another to in fact begin to do that.

**Mrs Sullivan:** It creates disorder itself in the House.

**The Chair:** One speaker left, and then we will deal with the motion from Mr Farnan.

**Mr Mills:** I realize Mr Rizzo has been sitting here all afternoon and is anxious to get on with his bill, so I'll be as brief as possible. I'd just like to say that when you've got an accent like I have and you came to Canada in the 1950s, Madam Minister, I have a lot of empathy with that because there wasn't a day went by in my life that I wasn't insulted about where I come from, and in particular as a policeman probably more so, because I enforced the law and people thought there were better places for me to enforce the law; ie, back in the British Isles. So I have a lot of empathy with what you're saying.

Even in the election in 1990 I went from door to door and said: "I'm Gord Mills and I'm from the New Democrats. I'd like you to vote for me." Some of those people we all know in our ridings who have been around for many years sort of looked at me and said, "Well, how long have you been in Canada?" implying in a very subtle way, "Are you qualified to really seek an office in Ontario?"

That is what you're really talking about here. I would just like to say that I come from a generation—I say things I shouldn't say. I would like to say that I've never said anything in the House, to my belief, that's personally abusive or insulting to anyone. I would think that is the way I operate, but nevertheless I am guilty, through my old-fashioned way. I saw Gary Malkowski going out of the House the other night and I shouted to him. He kept going and then I said out loud, "Well, of course he couldn't hear me; he's deaf and dumb,"

but I didn't mean that. This is the way we used to describe people.

I do a little television show. I had some mental health victims there and I was very cautious: What do I say? How do I refer to these people? When the riots happened in Toronto I wrote an article about racism in the newspaper, and I was guilty of racism myself. I referred to the people as "coloured people" and I thought that was all right, but apparently you say "people of colour" but you can't call them "coloured people." These sorts of things were done very innocently, and I have a problem with my generation because we were brought up using lots of different words.

As you said, Sean, we call gay people "happy people," and my wife went into the butcher shop or the grocery store today and shouted out, "Have we got a joint for the weekend?" This is the way English people are. I said to her, "Shush, you shouldn't say that sort of thing," and she said: "Well, why? What's wrong with that?" You can see where I'm coming from.

I think we can resolve this issue very easily. I would like to see some sort of regulation. I have been in that mother of parliaments and seen some of those terrible things that are said in there. I used to use that joke about Lady Astor because I thought it was very funny. It's not popular now; I don't do it.

I think myself that we can really address this in this Legislature. I shout and hoot and holler and do all kinds of things; I don't insult anybody. I think that when someone insults someone and says something abusive to the person's gender, race, ethnic origin, religion, age or anything like that, the Speaker should get up and throw that person out immediately. I think that person should not just automatically drift in the door the next day. He should be brought to some sort of order, "This behaviour is really unacceptable, and unless you give us some sort of recognition that you won't do it again we're going to keep you out for a week."

That sort of stigma would stick and then it wouldn't be funny to the press. It wouldn't be funny out there and somebody would say: "Listen, I'm going to think twice before I call someone Sambo, because I'm going to be thrown out. It's going to be public and the people outside are going to ask me, 'Do you really think that was nice?'" and then I have to apologize or do something to get back in again."

I think we can address it, and that's the way. I'm talking now from my own military experience, because I wouldn't tolerate insubordination from anyone. They're out the door, and this is how I think we should address this. I thank you for coming and listening to it, and I couldn't agree more that we've got to stop it.

**The Chair:** We're now going to deal with the motion from Mr Farnan.

**Mr Farnan:** Is it possible to make a remark?

**The Chair:** If it's very brief.

**Mr Farnan:** Very briefly, I simply want to state that I think as politicians we can sometimes be very hard on ourselves, and indeed where there is room for improvement, I think it's good to point that out. During the course of the debate this afternoon I heard some derogatory remarks made about the level of debate in this House. I would have

to suggest—and this is my belief and I think I want to put it in to counterbalance—in the work that members do in preparing their presentations, I have always been impressed and sometimes inspired by the levels of debate in the House.

There is no question about it, there are some very routine and humdrum periods, but I certainly think it would be inappropriate to leave this. I think the demeanour in the House, the atmosphere in the House, the tone of the House can improve the quality of the debate, but I honestly believe that the members I know work so conscientiously to contribute, and indeed I think even the quality of the debate here this afternoon was thoughtful and sensitive.

**The Chair:** Mr Farnan moves that the submission of the minister and the transcript of today's committee proceedings be forwarded to the ad hoc committee on parliamentary reform for its review.

Motion agreed to.

**The Chair:** I wish to thank the minister for her appearance here at the committee today and for her presentation.

**Hon Mrs Boyd:** Thank you, Mr Chair.

**Mrs Sullivan:** Mr Chairman, I'm wondering, given the nature of the presentation from Mr Rizzo and the hour, if it wouldn't be appropriate to put the next item on the agenda over to the next meeting?

**The Chair:** I was actually just going to touch on that myself. Considering that I think it's going to take a long time, as long as what we've discussed here today, I would recommend to the committee that we defer this item until our next meeting next week, with the approval from the committee.

**Mr Farnan:** Is Mr Rizzo in agreement?

**The Chair:** Mr Rizzo is in agreement.

The committee adjourned at 1723.



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- \***Vice-Chair / Vice-Président:** Farnan, Mike (Cambridge ND)
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- \*Sullivan, Barbara (Halton Centre L)
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#### **Substitutions / Membres remplaçants:**

- \*McLean, Allan K. (Simcoe East/-Est PC) for Mr Villeneuve
- \*Sorbara, Gregory S. (York Centre L) for Mr Morin

\*In attendance / présents

#### **Also taking part / Autres participants et participantes:**

- Conway, Seán G. (Renfrew North/-Nord L)
- Rizzo, Tony (Oakwood Ind)

**Clerk / Greffier:** Arnott, Douglas

**Staff / Personnel:** Yeager, Lewis, research officer, Legislative Research Service



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Deuxième session, 35<sup>e</sup> législature

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Wednesday 3 June 1992

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Mercredi 3 juin 1992

### Standing committee on the Legislative Assembly

Role of the independent member  
Committee budget

### Comité permanent de l'Assemblée législative

Le rôle du député indépendant  
Budget du comité



Chair: Noel Duignan  
Clerk: Douglas Arnott

Président : Noel Duignan  
Greffier : Douglas Arnott

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# LEGISLATIVE ASSEMBLY OF ONTARIO

## STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Wednesday 3 June 1992

The committee met at 1556 in room 151.

### ROLE OF THE INDEPENDENT MEMBER

**The Chair (Mr Noel Duignan):** Seeing a quorum present, I call the standing committee on the Legislative Assembly to order. The committee has two items of business before it this afternoon. First, dealing with the role of the independent member, and the second issue dealing with the 1992-93 committee budget.

### TONY RIZZO

**The Chair:** At this point, I would ask Tony Rizzo, MPP, to come forward. I understand that you have a presentation you wish to present to the committee on the role of the independent member.

**Mr Tony Rizzo:** Honourable colleagues, to paraphrase George Orwell in *Animal Farm*, all animals are created equal, but some are more equal than others.

In my time as an independent, I have discovered that the parallel may be drawn between this notion and the Ontario Legislature. All members are equally elected, but recognized party members are more equal than others. In other words, those members who enjoy a recognized party status have more rights than those considered independent.

Independents are denied the full extent of rights and privileges that are granted to caucus members simply because they do not belong to a recognized party. This is a reality that independent members must continually confront, and to illustrate my point, let me read to you from a letter sent to me by Mr Forsyth of the Clerk's office in which he sets out those fundamental rights denied to members of provincial Parliament who do not have recognized party status.

"Members of the assembly who do not belong to a recognized party or are independents cannot:

"1. Request the deferral at a division in the House.

"2. Make a statement during members' statements.

"3. Comment on a ministerial statement during statements by the ministry and responses, nor are they entitled to an advance copy of a ministerial statement before it is made in the House.

"4. Ask a question during oral questions.

"5. Receive, as of right, a compendium of background information or, if it is an amending bill, a consolidation of the act to be amended when a government bill is introduced.

"6. Receive, as of right, background material when a minister presents a statutory report.

"7. Select a matter for debate on an opposition day or participate in an opposition day debate.

"8. Move a want of confidence motion or participate in deciding when the motion will be debated.

"9. Participate in a debate on a motion for discussion of a sessional paper.

"10. Serve on a standing or select committee."

Independent members of the House, whether or not they are affiliated with a particular party, are only capable of performing half their duties, a fraction of what they are obligated to do for their constituents, because they do not have enough members in the Legislature to constitute a recognized party.

We have forgotten the importance of the constituent in this Legislature. It is the constituents' right to have effective and total representation in their government, and it is through the elected member that these voices are heard. Therefore, to deny the independent member those rights, fundamental to his or her duty, is to silence the voices of his or her constituents. They are the ones who ultimately suffer from not having effective representation. Their voices are silent in the chamber. Their questions and concerns cannot adequately be brought to the attention of the government in Ontario. Is this full democracy? Mr Chairman, honourable colleagues, I do not believe it is.

This is not an issue restricted to my particular circumstance and something that will never happen again in the Ontario Parliament. With new parties entering the political arena and with the citizens' anger against traditional party politics, the prospect of more independents in the House is real and probably not too distant.

I am not here today to advocate a greater freedom away from party rules for caucus MPPs. Party discipline is necessary to both government and opposition in order to give coherence to the work being done in the House, and it is unthinkable to have a Parliament made up of members who act individually, following their personal feelings. To govern in this fashion would be impossible.

But committed as I am to the value of party discipline, I do not believe it is fair that standing orders should be used to uphold party discipline. Why does an MPP have to be a member of a recognized party to be able to fulfil his or her duties? A line must be drawn between the rules of the House, which should place all members on equal grounds, and party discipline, which should be distinct from parliamentary rules. If we do not acknowledge this problem, we will continue to send a very sad message to the people of Ontario, a message that says: "Dear fellow Ontarians, this Parliament is not your House where your representatives work for you, but our House, the House for the political parties. We make the rules in our image and likeness, and the MPP who does not belong to us shall not have the right to represent you although she or he has been elected by you, the sovereign people of Ontario." Is this the message we want to send to our constituents?

I am here today, Mr Chairman, honourable colleagues, to propose a number of changes to the existing standing orders of this House in order to eliminate any inequalities between independent and caucus members. Furthermore, I



want to propose a lowering of the number of members required for a party to be recognized as such.

First, let me expand very briefly upon this latter proposal. My colleagues will excuse me, but let us suppose for one moment that in the next election the Green party or the Reform party may win a number of the seats currently held by our three parties in this province. We all know this could very well happen and that it is possible, within this scenario, that there will be in the next Parliament one or more parties with not enough members to constitute a caucus. This would not be fair to the citizens who, after electing an MPP, later discover that their representatives cannot work as effectively on their behalf as those belonging to a recognized party.

In reality, the number of parties is increasing, and although the minimum number of MPPs to be recognized as a party in this House has been lowered from 20 to 12, I strongly recommend that it be reduced further down to eight. This number is large enough to ensure that only parties with an established constituency are recognized, while at the same time it is small enough to guarantee due recognition to new parties entering the political arena.

As far as the status of independent members is concerned, I propose that the standing orders should be amended in order to eliminate any inequality between independent and caucus members. It would be up to the Clerk's office to find the best way to realize this objective. As I said in my letter to Mr Duignan requesting this presentation, the Clerk's office should be called before this committee to discuss these proposed changes in depth.

A number of issues will be raised by these changes, such as the allocation of time for question period, but none of these issues are, in my opinion, extremely difficult to solve. An example: In terms of the allocation of time, every party has a certain time allocated in proportion to the number of its members. Therefore, it would not be too difficult to do the same for independents: so much time allocated to the government, the opposition and the independent members, proportionate to their representation in the House.

I know that all these obstacles can be overcome if there is a real effort made towards this objective, that is, to have a Parliament where no one member is more equal than another. If it were not for my own predicament, I probably would have never realized how unjust the present situation is. The respect that Parliament asks for itself from the citizens of Ontario must be reciprocated with a greater form of respect paid by Parliament and its members to its electors, the sovereign people of Ontario. With the standing orders at present, it is apparent that more respect is paid to the political interests of the parties than to the will of the constituents themselves.

This situation only serves to silence the voices of thousands of citizens who choose to come out and exercise their right to vote. Moreover, if they choose to vote for someone who is not a member of a recognized party, it is their right to do so. If we do not make the necessary changes, Ontarians' rights will remain curtailed. The people of Ontario have the right to be effectively represented. If they choose to be represented by someone who does not

belong to a recognized party, there is no reason to deny them a full and equal voice.

**The Chair:** Thank you, Mr Rizzo. The floor is now open for questions. I have so far a short list. The first member is Mr Owens.

**Mr Stephen Owens (Scarborough Centre):** Mr Rizzo, I want to thank you for coming before the committee, understanding that your situation is fairly unique, as you pointed out. You may be aware that there is a process being undertaken now by the three parties with respect to parliamentary reform. I certainly hope you'll be involved in that issue and that we'll consult with you.

Just a quick question on how you do your job: This is a fairly lengthy list of prohibitions, so how do you get the message of your constituents out to ministers, to your colleagues, to ensure that your riding is represented effectively?

**Mr Rizzo:** This is one of the major problems. What I have been doing is getting a little bit of cooperation by all departments, all the ministers and their representatives. So through my constituents' assistance, I've been communicating with them. They've been very understanding. Even at the bureaucratic level, I've got a lot of help.

But as you know, I have no facilities in terms of caucus administration, so I have to do everything by myself and my staff. It has been a very, very hard time for us. It has been a good chance for us to learn maybe more than some of you guys had the opportunity to do because of the more freedom I had at my disposition. It has been a very trying time, but the place where people want to be represented is the House. If my voice cannot be heard in the House and if the questions are not going to be asked in the House through me, then I think their rights have been curtailed.

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**Mr Noble Villeneuve (S-D-G & East Grenville):** Mr Rizzo, I also appreciate some of the dilemmas that you're going through. You have outlined all of the things you cannot do, but of course you can do all of those things with unanimous consent of the Legislature. Consent can do anything.

I realize the dilemma that faces you when if indeed you're on your feet, you're recognized by the Speaker and it seems like a cap in hand situation and I don't think that that is right, and that's exactly what you're talking about. So you're not quite denied all of those things, but certainly as you mentioned in your opening preamble, some members are more equal than others, and you happen to be somewhat less equal than the rest of us. I appreciate that. Certainly we have meetings with the Speaker and the Deputy Speaker and it's a situation that we're aware of all the time when you're in the Legislature. If indeed you are on your feet, unanimous consent has to be obtained in most areas that you touched on.

I think we have to recognize two situations here: an independent member may well be elected as an independent member, and an independent member may wind up being independent after the election when something occurs. Pursuant to that, I think we have to make up our minds. If indeed we're going to accept an independent member as he or she is, regardless of how or she got there,



then we have to change the rules. If we're not, I think we have to look towards saying, "A certain member was elected with party affiliation and something occurred; therefore this member is now independent." I think it would be incumbent at that point to say that the seat be declared vacant and a by-election called. I don't think I would be prepared to recommend that. So an independent member, whether he or she be elected as independent or wind up as independent through some other situation, I think it has to be accepted that an independent is an independent. Private members' hour is a misnomer, because it is private members with party affiliations' hour. I certainly would be prepared to change that and have the names of independents in the draw.

We realize you have been very quiet because of the situation. You could have also been very vociferous and upset. The workings of the House whereby any time I am in the chair or whomever is in the chair asks for unanimous consent—if the member for Oakwood says no, one "nay" is all that's needed to negate a unanimous consent. I realize that in other legislatures and in this building it has caused chaos. Certainly we don't want that here. I think it's an excellent idea, Mr Chair, that you've allowed the member for Oakwood to express his frustrations and that we can, to some degree, correct.

The area of concern I see is that going from having very little to say to trying to monopolize the Legislature as an independent is not we're looking for either. I know many European countries have probably a lot more political parties than they want in order to operate efficiently. I would be one that would not like to see a recognized party go below the actual number of 12. I think 10% of the entire number of seats is a good guideline. You've suggested eight, which is somewhere below 10%. I have some degree of reservation and reserve about that. I would like to see the recognized party remain at approximately 10% of the total number of seats in the Legislature. Those are my personal comments.

But we certainly have to change the rules to recognize an independent when time allocation occurs, for example. It's generally geared to an opposition day or some like situation whereby at the end of the day, come 6 of the clock, the debate is over. There's no room for an independent there, even with unanimous consent. Then I guess the time that the independents would be speaking would be taking time away from all three parties. We have to work out a mechanism in that instance.

I am certainly in full agreement with an independent pursuing questions in the Legislature. I realize that when we exclude the cabinet we have about 100 members in this Legislature, so that would mean that somewhere between the 80th and 100th question would be an independent's turn. I have no problem with that, other than it would put more pressure on the table officers to keep track if indeed there were a number of independents. With only one, which is the situation here, it would be more easily accommodated. But with a number of independents it would be a little more difficult and would certainly require more, I think, attentiveness. You may even need a table officer

absolutely responsible for taking off who has questions and when.

I certainly know that we need to face a change. The Parliament of Canada has special rules to accommodate independents, and I think we need to look at that. Certainly private members' hour, to start with, is a misnomer, and I would certainly be quite prepared to recommend and move in this committee that independent members be included in—

**Mr Carman McClelland (Brampton North):** A point of information, Mr Chair: I just want to check on something, Mr Villeneuve. It's my understanding that all members' names, save and except those who are members of the executive council, are put into the ballot for selection. I just want to make that clear. Is that correct?

**Mr Villeneuve:** Yes, everyone except the Premier and the executive council, approximately 100.

**Mr McClelland:** I'm missing something then in your argument. It seems to me that what you're suggesting, Mr Villeneuve, is that private members don't include independent members.

**Mr Villeneuve:** It doesn't. Mr Rizzo's name is not in the draw.

**Mr McClelland:** That is the point I wanted to clarify. My understanding was, all members except for the Premier and the executive council.

**Mr Villeneuve:** Recognized parties only.

**Mr McClelland:** Okay. Thank you.

**Mr Villeneuve:** In conclusion, and I certainly don't want to monopolize here, we must address changes. Changes must be made. The people of Oakwood must be represented, not only by you, sir, in your constituency office and in your Queen's Park office but in the Legislature.

I had a debate as to whether we should recognize an elected independent or an independent through some other way than election, and I've come to the conclusion that I do not believe it's the Legislature's business as to how you or someone else becomes an independent. You are an independent; you sit as such. You have to be recognized as such.

**Mr Mike Farnan (Cambridge):** First of all, I would say to Mr Rizzo that you have a unique experience, I think, perhaps among the legislators who currently constitute this House in the fact that you have sat as an independent.

Whatever the personal circumstances, I would make the observation that you've carried out, with a considerable degree of dignity, what I perceive to be a very tough and I would consider even a lonely situation to be in. I certainly have admired the manner in which you have continued to work to represent your constituents as effectively as you could, given your circumstances.

In other jurisdictions and, I believe, in this House, as has already been pointed out by my colleague from the Conservative Party, with all-party agreement accommodations could be made and could have been made. I'm wondering, Tony, if during your experience you actually made contact, let's say, with all three House leaders with regard to the possibility of placing questions or making a statement. Could you respond to that?



**Mr Rizzo:** Yes. I've been in touch with the Speaker of the House. He suggested that if I really wanted to ask a question at any time, even if the standing orders wouldn't allow me to do that, he would take it on his own to allow me to ask the question, but I didn't want to put him in the embarrassing position of maybe having to decide something that would be accepted by all the members.

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**Mr Villeneuve:** Even with the unanimous consent?

**Mr Rizzo:** That's right, because, as explained before by Mr Villeneuve, you need to have unanimous consent for him to do that. He offered, but I said, "Fine; if I decide to do that, I'm going to ask you in advance," but I never did.

**Mr Farnan:** I'm not sure if there's anyone in this room—perhaps Mr Conway might have some experience that he could draw on—but my sense is that there would be some sensitivity among members in all parties to allowing an independent an appropriate opportunity for an occasional question, an occasional statement, given the fact that the member would actually seek the agreement or the consensus of the three caucuses.

I think in other jurisdictions—and I'd be looking for guidance on this—there is some demonstrated flexibility and adaptability to accommodate a member who's an independent. I suspect that this House would not be less generous. I'm just wondering if we tested that flexibility. Maybe we didn't. That's the question I'm asking.

**Mr Rizzo:** No, we didn't test it.

**Mr Farnan:** Okay.

**Mr Villeneuve:** I think the words you used were "less generous." I would like to use the words "less democratic." I don't think we're less democratic. Generosity only goes beyond an individual's ability to agree or disagree. We're talking politics here. Democracy is what we're talking about. The people of Oakwood are less equal than the people in 129 other ridings, and that's not right.

**Mr Farnan:** Yes. I accept your clarification as a good point. What I'm trying to get a handle on is that, given Tony's unique position and his desire to be a voice for his constituents, I just wanted to explore if he had tested to the limit the possibilities within this House. I take it that perhaps you haven't, Tony.

That aside, the arguments that you make in your presentation I think are fundamental questions. I think the all-party committee on parliamentary reform is undertaking a significant challenge in reviewing standing orders and reviewing the procedures of the House. I like Mr Owens's suggestion that that committee should have the opportunity to speak with you, because I think you do give a unique perspective. Indeed, in that review, the whole area of the rights of independents might be reflected upon by that all-party committee on parliamentary reform.

I would move that Tony's paper and presentation to this committee and whatever debate takes place here today be forwarded to the all-party committee to reflect on as it undertakes bringing forward suggestions in the area of parliamentary reform.

**Mr Charles Harnick (Willowdale):** This may be a difficult question to answer. What has been the feedback that you've received from your constituents about the predicament that you're in?

**Mr Rizzo:** The question they ask me all the time—and I still do some canvassing and I've been in touch continuously with them through my constituency office and by meeting with them almost on a weekly basis—"We see you in the House when you stand up to vote in favour of something or against something else, and you never say anything. You never speak, you never ask questions. How come you're not doing it? What is stopping you from doing that?"

My answer has been the same all the time. In my position, according to the standing orders, I'm not allowed to ask any questions. I wasn't even aware of the fact that we needed the unanimous consent. With the unanimous consent, maybe I would have been able to do that. I wasn't even aware of that. But this has been the concern of the people I represent.

Of course, other questions follow: "What happened? Are we going to be represented by somebody sitting in the House without having a voice in the actual House? What is going to happen to you?" What I've been telling them is that I'm going to study the situation, I'm going to propose some changes to the standing order that, if approved by the House, would put me on the same footing with all the other members, and then I would be able to do my full job as their legitimate representative.

**The Chair:** I understand there's a Mr David Pond here from legislative research services who, I understand, is an expert in this field. So if members have a particular question, maybe David could answer it.

**Mr Sean G. Conway (Renfrew North):** I just want to thank the member for Oakwood. I read his paper and I thought it was quite interesting. I think he raises some very good points. I appreciated what the member for S-D-G & East Grenville said because I should know some of the orders better than I do.

It is, however, inconceivable to me that you would not get up from time to time and seek to ask a question. There are days when I can't imagine anything more interesting than being an independent member. We've had some extremely effective, very high profile people serve as independent members of this Legislature, as was the case in the Parliament of Canada. In fact, I think we had a case—and I'd have to check. I think a former Premier once sat as an independent for a short period of time after he'd been Premier, if I'm not mistaken.

So you have not had the instinct, you haven't felt the urge to just get up and ask a question and defy the rest of us to shout you down?

**Mr Rizzo:** Of course I have the urge to stand up and ask a question in spite of what would have happened.

**Mr Conway:** I think you should do it.

**Mr Rizzo:** But I have too much respect, respect that the House and all the members deserve, to force myself in speaking without following the rules of the House.

**Mr Conway:** But, you see, it seems to me that it's not—I appreciate your deference, but I don't think it has



anything to do with that so much as you've got a mandate from the people of Oakwood to be here. Charlie down here is a lawyer, but I'm not so sure—there's a history to these rules too. Have you had a chance to read the Camp commission?

**Mr Rizzo:** No.

**Mr Conway:** You might be interested to go back and look at the Camp commission, which was set up here in the early 1970s and which has provided the framework in which the place has operated for as long as I've been here. In the very early part of the Davis government, he asked Dalton Camp, who'd been of course a prominent member of the Conservative Party, Doug Fisher, the former NDP MP for Thunder Bay and Farquhar Oliver, a long-time member who was himself, I'm sure, at one point an independent. He went through quite a political metamorphosis. But he'd been here for 42 years and for a good bit of that, a Liberal cabinet minister and Liberal leader. Those three people were mandated by the then government to look at the way the place operated, everything from the standing orders to the financing and support of caucuses and individual members. Out of that came many of the structures and procedures that we now have.

Interestingly, it is only in the last 25—I'm trying to remember when we last had an independent. We had quite a fellow from Port Arthur, a Liberal who was elected as a Liberal in 1967, and he went through a kind of metamorphosis and became an independent, I think, about 1969. His name escapes me, but I'll think of it.

**Mr Villeneuve:** Were you here with Dr Shulman?

**Mr Conway:** He was an independent in everything but name. We had some of that. There were a number of very colourful, independent-minded members, but they did belong to caucuses. But the fellow from Port Arthur sat for a while as an independent. Marvin Shore, on his travels, I think might have for a very brief time, although I don't think he did. I think he made the direct switch.

Historically, over the decades, this has been a place like a lot of the provincial legislatures where there are a goodly number of independents. Two of the most effective and interesting members the place ever had were Joe Salsberg and McLeod. They were communists, I think. They ran by a different styling, but enormously effective members of the Legislature, and they were famous for their independent positions and what have you.

1630

Now, what has happened, the rules were altered in the early 1970s to accord with the new reality, and the new reality was what I would describe as the homogeneity of party politics. Gone were the days. Some people like Morty Shulman, Eddy Sargent, Paul Yakabuski on occasion were very independent-minded people but they were still accommodated within the provincial parties. But from about 1970 onwards, there was very little experience with independent members.

That having been said, there is sometimes a very peculiar kind of view around this place. I remember after the 1985 election, it came as a huge surprise to a lot of members of the Legislature and reporters that governments are

chosen by Parliament. Frank Miller won the election in the sense that he had more seats though fewer votes than the David Peterson Liberals, but in our system it's Parliament which gets to decide the government.

Parties have given us the politics of the foregone conclusion, but we have to be reminded from time to time that the standing orders notwithstanding, there are some other realities. Charlie is a lawyer, I'm not. I would be very interested with the charter now. I was very interested in what Smirle Forsyth told you. I am not a lawyer and I may be made to look foolish, but when I look at Smirle's list I would be interested in hiring a good lawyer and going before a court and saying, "Can a Parliament, duly constituted, deny me, a duly elected member of that Parliament, these rights and privileges which obtain to all other members?" That would be a very interesting case.

**Mr Harnick:** It's interesting in that you're looking at individual rights in the charter. But advancing a case, I suspect, as a member of a Legislature is not advancing a case in terms of an individual's rights per se, and that I think would be a very interesting, probably a fascinating, case if you had jurisdiction.

**Mr Conway:** The point I guess I want is that our rules, not our rules but sort of the informing logic of the system we've got springs from the Camp commission. It's now almost 20 years old.

You make the point, I think rightly so, in the presentation that we are look at splintering. This is a growth of new parties both provincially and nationally. If we get many more situations where we have five people in the race and people are getting elected with 30% of the vote, that's going to beg a few questions about the "first past the post" system, which has assumed generally speaking two, maybe three, people in the race. When we start to get into a system of five parties, we're going to reform not just the standing orders but the rules around election financing, and there's a lot of pressure and talk about that at the present time.

I have a couple of questions as well as observations. It's not clear to me how you would at one and the same time have party discipline, which I think to some extent you probably have to have, and give an individual independent member equal or full sway because it will be very quickly evident to a number of people, for example, sitting on the opposition or the government back benches that the independent member has relative to them a much enhanced opportunity within the parliamentary scheme of things. That is a real difficulty, and I'm not so sure that there's an easy solution to that. But I think that you make a very good case here for looking at the rules.

I can't believe that we've got rules, but I guess we have, where an independent member does not get a chance to get in the private member's public business draw. That is very suspect. It seems to me that there should be some provisions around the budget speech and the throne speech that recognize the right of an independent member. You may not want to actually put that in the rules at present, but it seems to me there has to be an agreement or an understanding that



you're going to have an opportunity to speak to the major debates which would be throne and budget.

It seems to me as well that you've got every right to stand up and ask questions. In my view, that's not something you want to—you can only leave that in the Speaker's discretion, but if I were in your position I would be up on my feet tomorrow with a question and I would almost hope that some group of party loyalists wouldn't let me ask the question because you're going to win that argument in the more important court of public opinion.

But in terms of a way in which to regulate that, it seems to me the best way to do that is simply to leave it in the Speaker's discretion with a broadly based understanding among all members, and particularly among the House leaders, that an independent member, and it's very easy in this case because there's only one, is going to get an opportunity to ask three, four or five questions per session or whatever. You might say three or four, I don't know. But I tell you, I mean, it's not for me to give you advice, but if I were in your position it would be tomorrow. I think it's a very important point.

I must say that I really appreciate the brief for the list of things it tells us that you can't—I know the point I was going to make. When I was first elected, and for the first few years, there was an amazing lottery around here where what happened was when oral questions were called, and in the old days of course you had to submit the questions in writing and all the rest of it but you don't do that any more, but all members stood up. Everybody stood up. The Speaker had no—I don't know what he's got now. Noble, did you people get—I think John Fraser—in the Parliament of Canada the Speaker gets some indication of what the list is. Does our Speaker get any indication?

**Mr Villeneuve:** No, our Speaker may well have a list for the parties that would want their members recognized, but by and large he has no indication. In the Mother of Parliaments in England they still have a two-week waiting period with a written question and then they're allowed a supplementary. We're way beyond that and certainly I wouldn't want to go back to that.

**Mr Conway:** The point I guess I wanted to make was that we imposed a discipline that I think in the main has been very good, that each of the parties now works out its own list. But it was a very interesting place. It was a terrible job for the Speaker and it led to all kinds of inter-necine quarrelling like Villeneuve and Harnick and four or five others. Six, eight, 10 Liberals all stood up together and left it to the Speaker to make the judgement. Now we've gone passed that and I think it is on balance a good thing.

I would certainly think it is absolutely your right to ask a question. It is absolutely your right to participate in the private members' ballot. It is absolutely your right to participate in all the rest of the activity, though I am not so sure that can be easily organized in all particulars. I think the matter should be pursued and again, like a lot of things, I think it's best done by some good judgement exercised by the individual independent member and by the Speaker, and hopefully with the party House leaders showing some sensitivity.

**Mr McClelland:** It's always hard or difficult, if not impossible, to follow the member for Renfrew North. He said so much and he covered such a great deal of thoughtful consideration for what you bring before us, Mr Rizzo.

1640

There are a couple of things that he said I wanted to touch on. In fact, there is basically one issue I wanted to raise that Mr Conway raised. I say this, by the way, Mr Chairman, as much as we have a motion on the floor for this to go to the commission, or to the committee studying parliamentary reform.

I think there are some inherent difficulties in movement towards recognizing independents, if you will, as in the same status as recognized parties. There are a number of things that happen, and I say it simply as this and leave it almost as a rhetorical question. At the conclusion of your submission you indicate that as citizens come out to vote they can choose to vote for someone who is not a member of a recognized party and it is their right to do so. Mr Conway made the point well that indeed people vote for individual men and women who put their names forward as candidates, in some instances perhaps speculating, but never knowing where they're going to land in terms of government, opposition or third party.

The reality, having said that, is that they take a chance. The hard reality is that those of us in opposition do not have the same efficacy in terms of fulfilling our function as do those in government, in some instances. One would argue that it gives us a bit more latitude in some cases, and one would argue it gives us less access in others. So there's a tradeoff, perhaps. But after all is said and done, the voters make their choice collectively and the chips fall where they may in terms of where we sit.

As Mr Conway has said, some in opposition may end up on the front benches in very effective and leadership positions in opposition. Others of us may end up on the back benches. So be it. That happens. I guess it's a matter of degree. Ultimately that's what you're talking about in terms of an independent is a matter of degree, because certainly that happens. It happens within the government; it happens within cabinet; it happens within the back benches of government, and so you go through the progression. I don't say that in a pejorative sense, to any of those who don't sit in cabinet or who sit on back benches or the third party or my colleagues and myself in the official opposition.

Having said all that, I think what we have to do is really consider that the reality of party politics, as Mr Conway has indicated, are there. I think there would be tremendous difficulty in trying to embody in our rules that sense of absolute equality, because that just ain't so, as they say; it's just not the reality. All of us recognize that. I think what we can do is move towards an accommodation, as has been well said by Mr Villeneuve and Mr Conway. In that regard I certainly share their sentiments. Again, thank you for bringing this to the committee.

I too would just, I suppose, somewhat subsequent to that say I would also have great difficulty in moving to the recognition of a party with a number that was relatively small. I don't know where that relativity, the appropriate



threshold, is. I think the 10% is something to be considered. As Mr Villeneuve indicated, currently we are at more or less 10% of sitting members. That may not be the right number. It may indeed be worthy of reconsideration. I'm sure it will be by members of the committee.

**Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings):** Mr Rizzo, it's nice to see your brief. It certainly was very enlightening for me. I wasn't aware that the powers of a member could be usurped in the way they were by merely being an independent. Certainly I know there are many factors beyond those that are evident in your brief that would suggest that your demeanour in the Legislature is very polite and very honourable indeed. I think it's very nice that you bring this information forward. I support your intentions. I think your intentions are well-directed and well meant. I think it's a good brief that you've brought forward.

I certainly don't have the experience Mr Conway has and I expect that I never will, quite frankly, in this venue, whether that be because of the fact that I don't want to continue or others would choose that I don't, but certainly he has offered you some advice that I think is interesting. That's not to suggest that your character change in any dramatic way over the next short while, but certainly there are ways that you can work the rules or use the rules of the House to achieve at least to achieve the one thing that you want, and that is, involvement in the process, the thing that isn't allowed with the present rules. I think that certainly is something that can be done.

One thing I know is that when I was elected and I came to this place, I kind of groomed myself, as well as one can, to be the very best opposition member a person could be, and unfortunately I never had that opportunity, so I find myself in a position that I couldn't have imagined, and so maybe I'm not as effective representative as a government member as I may have been in opposition. However, I'm here as a member of the government and that's the way it'll be for a few more years.

One thing that I certainly know was evident when I came here, or very soon after, was how the House commands itself and the demeanour of the members. Just generally, there was a sense within myself that the House wasn't the sort of place I had anticipated. I think the members displayed characteristics that I wouldn't suggest would characterize an honourable member, but nevertheless, you most certainly have been most honourable and I think that's something that should be stated. Whether that's because of your inability to be involved in the process or your choice, I'm not sure.

I think there's a perception in the province of Ontario that, first of all, the way the members act in the House should be changed, and I think there's also a perception, probably in Ontario and probably in Canada and maybe around the world in countries where democracies like ours exist, that their representatives aren't representing them in the way they can or should.

I know that presently, certainly in my riding, I'm hearing from constituents who think we should be more independent and should be able to vote according to the wishes of our constituents. Now, as we all know, we are whipped. Whether we be from the Progressive Conservative Party,

the Liberal Party or the NDP, we are whipped by our whips and we vote according to how they want us to and we represent certain policies of our respective parties.

Right now, certainly in my constituency, I know there are those who would say that I should be more independent. In that respect I think I envy you somewhat, because you do have that opportunity to vote representing absolutely the wishes of your constituents, as you would believe their wishes to be. So in that way I am somewhat envious.

I'm not going to go on at length. I just want to again thank you very much for bringing this brief forward. It has been very enlightening and I hope, when this brief and the concerns are sent on as a motion or on to another committee to resolve, that there is recognition of the needs of the independents. Certainly as our political climate, the political scene, changes in this province, I expect that we'll see more and more independents or representatives from other parties being involved in the Legislature of Ontario. I think these rules have to be changed to reflect the reality in which we're dealing.

**The Chair:** As usual, the last word to Mr Mills.

**Mr Mills:** I have a couple of comments that I would like to make. I would like to compliment you for being here. I have had some encouraging words to you over the months that we've been here together. I'd like to echo what my colleague and friend Sean Conway said. If I were sitting here as an independent, it would take a pack of wild horses to hold me down, because everybody in Durham East would know Gord Mills is in the Legislature and I would say—

1650

**Mr Johnson:** They already do, Gord.

**Mr Mills:** No, but they haven't seen nothing. If I was to sit here as an independent, believe me—

**Mr McClelland:** That can be arranged.

**Mr Harnick:** Do it, do it.

**Mr Mills:** I'm quite a very free-spirited person, and I'm telling you that your control and the way you've conducted yourself, is not something that would come very easily to me.

That poses a couple of questions that I would like to ask. Are your constituents—you come forward after such a long time—fed up with what's going on? My second question, Tony, is that I really thought that there was going to be a period of time and then you were going to be back into the thing there, and I was just wondering, have the people you represent become so frustrated with your performance that it's resulted in your putting through this type of legislation because you're fed up with it? Is that the bottom line?

**Mr Rizzo:** Really what's happened is what I answered before to Mr Conway's question: People don't understand why. They elected Tony Rizzo and on the ballot there's no NDP or Liberals or Conservatives: "You are there. We elected you to represent us, and we don't care which party you belong to, which caucus you join or you don't join. You are sitting there now. You should be allowed to do



your job and to represent us." My answer is always the same. "The standing orders do not allow me to do that."

Again they were replying to me, "So what are you going to do about it?" I was answering again, "I'm doing whatever I'm allowed to do." There are a few things I am allowed to do, and I am serving them in my area and through whatever casework I can do and many other things. But as far as representing them in the House is concerned, I was going to prepare this presentation. I hoped I could do it before today, but it wasn't the procedure to do it any earlier, and hopefully the rules are going to be changed and I will be able to do the job I was elected to do.

**Mr Mills:** I think you should be encouraged to speak out, personally, and ask a question, get unanimous consent and assert yourself. I know I would.

**The Chair:** Thank you. There's a motion on the floor from Mr Farnan.

**Mr Farnan:** Does the clerk have that motion?

**Clerk of the Committee (Mr Douglas Arnott):** Mr Farnan moves that the submission of Mr Rizzo and the transcript of the committee's debates today be forwarded to the all-party ad hoc committee as it reflects on the issues of parliamentary reform.

**Mr McClelland:** I'd just add by way of amendment that the committee be encouraged to invite Mr Rizzo to present to that committee.

**Mr Farnan:** I would consider that a friendly amendment. I think I mentioned that in my statement, and if it can be incorporated in the motion, I'd be happy with that.

**Mr McClelland:** I say that, if I might, by way of explanation, Mr Chairman, that I think it's been useful having Tony here today, and it's been useful to all of us and helped us each understand, perhaps, a little bit better. I think it would serve the ad hoc committee well to have Tony to be there to respond and to participate.

**The Chair:** I appreciate your comments. Any further debate on the motion as amended? Seeing none, all those in favour of the motion as amended?

Motion agreed to.

**The Chair:** Thank you, Mr Rizzo, for an excellent presentation, and we look forward to some action being taken on your suggestions and presentation.

**Mr Rizzo:** Thank you, Mr Chairman.

#### COMMITTEE BUDGET

**The Chair:** The next item of business before the committee is the 1992-93 committee budget. Has every member got a copy of the budget? Any questions on the budget?

**Mr Mills:** Since I am new on this committee, I'd like some interpretation of NCSL conference. What does that entail?

**The Chair:** The NCSL stands for the National Conference of State Legislatures, to which this committee sends a delegation pretty well every year. The only year we didn't do it was the year the election fell on, which was 1990. This year the conference is in Cincinnati.

**Mr Mills:** I can see by the expenses it's not in Europe.

**The Chair:** That's quite correct.

**Mr McClelland:** I just might add that there was one year, I understand 1985, when the only person going, for a variety of reasons, was Noble Villeneuve. During Noble's flight, quite literally while he was in the air at 30,000-feet-plus, there was a writ issued for a 1985 election. So he arrived, checked into his hotel, didn't even unpack his bags, and turned around and came back. I just add that further to your comment that the 1990 election precluded attendance; in 1985, although we officially had somebody there, it was in name only, given the circumstances.

**The Chair:** It's generally a well worthwhile conference for members. Roughly about 7,000 or 8,000 legislators from right across North America and some from Europe attend this particular conference. I know from my experience last year that I learned quite a deal in exchange with legislators from around the world.

**Mr McClelland:** With specific reference to the budget and the issue Gord raises, the NCSL conference, in terms of per diems I think the budget anticipates that one member from each caucus, the Chair, plus staff would attend the conference as functioning on their committee, on the basis of per diem for committee; they would be there working officially in terms of a per diem. But the budget also allows for transportation and accommodation for the members without a per diem in the anticipation that additional members would be able to attend—and I use this very loosely—on their own time. Understand the context in which I am saying that; I think we are all working.

That's the way I read the budget, because the per diem is not built in for all members, but travel and accommodation is built in for all members of the committee, so I understand that to be the case. I don't have any great difficulty with that. I think that reflects the committee's intention, if I'm correct—I might need some help on that; I see you're reviewing that—that each of the parties should have representation at that conference and, second, if others want to come along, that their expenses would be picked up but not necessarily per diems. I wonder if I could have some clarification on that or maybe that's just a typo or whatever.

The second question that flows from that—I'll get them both on the table if I could—is some indication as to what might happen as far as the possibility of attendance at the conference. I say this simply in terms of planning. There are many of us who are looking right now at the prospect—let's be candid about this—I understand House leaders are talking about going into mid-July. There are other things that people want to do. Some of us may want to take some time with our families or other personal activities for a bit of a summer vacation or whatever. I know there are some caucus members who want to attend French-language training programs and so forth, and they are trying to arrange that. It seems to me that to leave it too late precludes some of the other things, particularly, by way of example, French-language training programs. The registration deadline for some of those is mid-month.

Having said that, I'm wondering if we could get some indication; if it would be possible to go to the government House leader and/or the government whip and report back

to us as soon as possible about the prospect of a delegation of this committee going and/or what other latitude is available for attendance at the conference.

Maybe the clerk would confirm that the dates this year are July 25 to August 2; I don't know if that's correct. It is July 25 to August 2, thank you. So those two, or one if the numbers are reflective of the intent I indicated—no, they're not, I'm hearing. Second, can we get some indication of when.

**The Chair:** To clarify the situation about the NCSL conference, I will undertake to ask the government House leader the questions raised by Mr McClelland today and report back to this committee next week. Mr Mills.

**Mr Mills:** What are the dates of the Cincinnati thing?

**Mr McClelland:** July 25 to August 2.

**The Chair:** Any further questions on the budget? Under "travel and accommodations" there is a typo; it should read "seven days by four members" and "seven days by one staff."

**Interjection:** That's for travel and accommodation.

**The Chair:** Yes.

**Mr Owens:** I was going to ask about that. You have seven days times 12 members. That's the change?

**The Chair:** It should be seven days by four members and seven days by one staff, and the figures will be reduced accordingly.

**Mr Owens:** In terms of the registration for this conference, when do we have to let them know who and how many will be coming?

**The Chair:** I will ask the clerk to clarify that.

**Clerk of the Committee:** It should be done as soon as possible. A higher registration fee after June 19 applies, and the next Board of Internal Economy meeting I understand is on June 16, so we would certainly advise as soon as possible.

**The Chair:** Bring your concerns to the government House leader and report back to this committee next week.

**Mr McClelland:** You have three days' cushion there. It's pretty tight.

**The Chair:** Any further comments on the budget? All those in favour of the budget as amended? Great, unanimous.

Motion agreed to.

**The Chair:** Any further business before the committee? Hearing none, the committee stands adjourned till next Wednesday at 3:30.

The committee adjourned at 1701.



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### STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

- \***Chair / Président:** Duignan, Noel (Halton North/-Nord ND)
- \***Vice-Chair / Vice-Président:** Farnan, Mike (Cambridge ND)
- \*Cooper, Mike (Kitchener-Wilmot ND)
- \*Johnson, Paul R. (Prince Edward-Lennox-South Hastings/Prince Edward-Lennox-Hastings-Sud ND)
- Marland, Margaret (Mississauga South/-Sud PC)
- \*Mathysen, Irene (Middlesex ND)
- \*McClelland, Carman (Brampton North/-Nord L)
- \*Mills, Gordon (Durham East/-Est ND)
- Morin, Gilles E. (Carleton East/-Est L)
- \*Owens, Stephen (Scarborough Centre ND)
- Sullivan, Barbara (Halton Centre L)
- \*Villeneuve, Noble (S-D-G & East Grenville/S-D-G & Grenville-Est PC)

#### **Substitutions / Membres remplaçants:**

- \*Conway, Sean G. (Renfrew North/-Nord L) for Mr Morin
- \*Harnick, Charles (Willowdale PC) for Mrs Marland

\*In attendance / présents

**Clerk / Greffier:** Arnott, Douglas

**Staff / Personnel:** Yeager, Lewis, research officer, Legislative Research Service



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## Legislative Assembly of Ontario

Second session, 35th Parliament

## Assemblée législative de l'Ontario

Deuxième session, 35<sup>e</sup> législature

## Official Report of Debates (Hansard)

Wednesday 24 June 1992

## Journal des débats (Hansard)

Mercredi 24 juin 1992

## Standing committee on the Legislative Assembly

Semiannual review:  
Clerk of the House

## Comité permanent de l'Assemblée législative

Présentation semestrielle des  
responsabilités du greffier



Chair: Ron Hansen  
Clerk: Todd Decker

Président : Ron Hansen  
Greffier : Todd Decker





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# LEGISLATIVE ASSEMBLY OF ONTARIO

## STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Wednesday June 24 1992

The committee met at 1624 in room 151.

### SEMIANNUAL REVIEW: CLERK OF THE HOUSE

**The Chair (Mr Noel Duignan):** Seeing a quorum, I call the standing committee on the Legislative Assembly to order. The committee has two items of business in front of it today. The first item of business deals with the administration of the House and the provisional services to members. This is pursuant to an order of the Board of Internal Economy dated December 14, 1987.

I would like to welcome the Clerk of the House here this afternoon. I know you've got an interesting and possibly detailed report to report to the members.

**Mr Claude L. DesRosiers (Clerk of the House):** Thank you, Chairman. It's always a pleasure to appear periodically before the committee.

No, I don't have a detailed report for you but I'd be happy to report to you that the organization is proceeding. The organization as we know it today is approximately five years old and it's developing continually. I think there are a few items of note that have happened that might be of interest to members that I guess you wouldn't know offhand just by your normal, very busy schedules as members.

We've been trying to do one thing with the staff here, in the last couple of years anyway. When I got here there was sort of a division in the staff between what we call the administrative staff and what they, the administrative staff, refer to as the people who have the fun jobs here, and that means the people who have the privilege of working directly within the chamber and directly with the members. So there was quite a we-they type atmosphere around, which is understandable to a certain extent, and what we've been trying to do is bring everybody on board. Basically we all have the same job.

I now meet every new employee who comes on stream to work for the Office of the Assembly. We have regular orientation programs now and I meet all these employees. Basically there is one message I tell them: that we all have the same job. I have the same job as they do, doing different duties, but basically it boils down to one thing: We are all here for one reason. We're here to serve a democratic institution, we're here because there are members elected to serve the province of Ontario, to serve the population of Ontario. That is basically our job.

What we've been doing over the past couple of years is holding seminars, holding meetings. We've had people here holding workshops, basically bringing the staff together. We now have a number of staff committees working on various things, on health and safety. In the near future we will be producing a new manual of administration. We have a manual of administration right now. It's a copy of the manual of administration that is used basically

by the government of Ontario, by the Ontario public service, and it is really not a good manual for operation in the Office of the Assembly in a parliamentary milieu. So we set out about two and a half years ago to write a new one, and we had a choice. We could have done what most people do in that situation: go out and try to get a consultant who can come in and find out what you want and write you a nice book. We decided we wouldn't do that because it's very specialized. The problem with getting consultants in a milieu like this is you have to tell the consultants what it's all about before they can start doing their job, and it's really a terrible waste of money in that sense.

What we did was we created a committee. This committee of representatives of various sectors from all over the assembly has been busily writing this manual of administration. We gave them directives. We wanted it to be readable; we wanted it to be up to date so that the various policies that run this place were clear and well-indicated in this manual. Just last week we got a status report on it and we're getting very close to producing this manual and it will be very interesting to see. So this is the type of thing. We have a number of these committees working on various things.

The benefit of these committees is that staff who work in finance, in human resources, in Hansard, in committees, in research, in the library, in the clipping service, in the restaurant, in various areas in this building for the first time get to sit down in a room and get to work on a common project. This has many, many benefits and we're starting to see the benefits with the staff in this sense. Our aim is that in a very short period of time we will be able to say we have a staff which is already very, very dedicated but which will feel, as we say in French, une appartenance, a very close association with our job which is a very specialized one and it's a very unique privilege to be able to work in a Parliament and this is what they do for you.

There are a lot of things I can talk about, but what happens in these meetings is that unfortunately we never have time for very many questions and answers. If you have any problems or any preoccupations with the administration, how it's going, I'd sure appreciate your pointing me in the right direction.

1630

**Mr Stephen Owens (Scarborough Centre):** I guess it was about a year ago at this time that we had the first meeting with you, and I think I reported that I was absolutely impressed by the level of service that I, as a member, and my colleagues receive from all the staff around this place. I thought that maybe it was the first blush of a new administration and that everybody wants to put on the best face and that slowly but surely things would revert to what I perceived as being "normal." I am very pleased to report that this is in fact not the case.



I would like to take this opportunity, on behalf of myself, to thank you and your staff and all the folks who work for the Legislative Assembly for the excellent level of work that goes on in this place. I'm impressed by the kinds of seminars and meetings you're having with respect to continuous improvement—I guess that is the buzzword—so that the people actually feel involved with their jobs, and that sense of detachment between the fun jobs and the work-type jobs is no longer there.

I was involved, at the invitation of some folks from the Clerk's office, in looking at some new desks for the committee rooms. I thought it was pretty interesting that they would ask for our input in terms of the seating, the desk, the height of the desk and things like that. These are things we use on a daily basis. Members of the opposition were invited as well, and I assume they turned up at some point.

As I said, I think this is my opportunity to thank you for your work and that of Barbara Speakman and the other people in this place. The folks in the dining room are ever-pleasant; it doesn't matter what's going on in the chamber. These folks have always got a smile and a pleasant word. I'm pleased to see that the rating cards are in place as well so that there's a method of tracking in case there are some difficulties. We all have good days and I'm sure the cooks have good days and bad days, so it's a good way of tracking that.

In conclusion, in the same vein I'd like to say that I hope some of the media folks who from time to time have included these deliberations in their magazines will take the opportunity to use this Hansard for inclusion in their magazine. I think you folks do a tremendous job. I'm not sure members take the time to give you the thanks you truly deserve.

**Mr DesRosiers:** I thank you on the part of the staff.

**The Chair:** Any further questions?

**Mr Gordon Mills (Durham East):** I have a question. There's a doctor's office that suddenly appeared down below. What's the function of that and what happens there? I've gone by and I've seen—

**Hon David Warner (Speaker of the House):** It's the nurse's station.

**Mr DesRosiers:** I don't believe there's a doctor on call.

**Mr Mills:** It's the nurses, is it?

**Mr DesRosiers:** There was not a nurse's station here. A couple of years ago the board actually decided that it would be a good idea to have a nurse on the premises for health reasons.

**Mr Mills:** First aid sort of thing.

**Mr DesRosiers:** Yes, that's right.

**Mr Mills:** I wish they'd put the scale inside.

**Hon Mr Warner:** The nurse's station, of course, is available and can provide a service not just for the members and the staff but for our visitors, of whom we have more than 250,000 a year—occasionally there's a sudden health difficulty that arises—and for the children who serve here as pages. Occasionally they've run into a little ill health and many are a long way from home, so we're able to provide some quick service.

**Mr Mills:** Then they'd follow up with a doctor if they need one. That's the process.

**Hon Mr Warner:** There are hospitals nearby, should that be the case.

**Mr Mills:** Good. It's nice to know, in case you get stricken.

**Mr Steven W. Mahoney (Mississauga West):** I'm at somewhat of a disadvantage, being a substitute for another member today and not having been here when the agenda was agreed upon for the Clerk to appear. I'm not quite sure what the purpose was, if it was just simply to chat about the process or if there were specific questions that members of one of the parties had in relation to changing the levels of service rather than just simply congratulating one another. Certainly I appreciate your efforts. I don't always like the advice you give the Speaker, but that's a different problem. Is there something we're looking at in relation to the service provided to members that needs to be discussed?

**Mr DesRosiers:** The question you're asking is a very good one. This meeting is a yearly or biannual one, I believe. When the new administration was organized in 1987 it was proposed to the board. The board said: "Well, this is fine. You should take this new organization to the Legislative Assembly committee and pass it by them." I did that, and the Legislative Assembly committee reported back to the Board of Internal Economy agreeing with the proposal.

It was felt at that time by the board that it would be a good idea if the Clerk were invited by the committee at least once a year to answer questions from the members, just to make sure things were on the up and up. This is a yearly occasion for you to ask questions and of course to listen. Mind you, any time this committee feels it wants to talk to the Clerk, there's no problem at all. Just a phone call and I'll be happy to come. If you wanted to hear my views on a specific subject matter or the improvement of various services to the members, that's no problem at all. But this meeting is a general type meeting.

**Mr Mahoney:** I don't recall seeing it, but do you have an organizational flow chart with names, phone numbers and that kind of thing which might be a quick, easy access for members or their staff? I don't know if we have that. I haven't seen it in my office.

**Mr DesRosiers:** You should. On my return to the office I'm going to make sure that a package goes up to your office. You've received one.

**Mr Mahoney:** My staff probably has it.

**Mr DesRosiers:** That's right, but I'll make sure you get it.

**Mr Mahoney:** The fact that they don't bother me with it is maybe a sign that everything is working smoothly in that regard.

I notice the second item on the agenda deals with security and involves the Speaker and the Sergeant at Arms and presumably would involve the Clerk in a sense as well. I don't know if this is all one agenda item or if it's appropriate to go to that item at this time.



**The Chair:** Normally security is dealt with in camera, if it deals with the security of this place and personnel situations.

**Mr Mahoney:** Let me ask another thing. Comments were made with regard to Mrs Speakman and her role in the improvements and ongoing maintenance of this building. I have had meetings with Barbara in the past and found her to be very professional and helpful, but I'm concerned at the apparent progress of the work in place in the sense that I don't know what's going on.

Someone from the riding may come down and see the building covered in a huge mesh and wonder what is going on. I know there are repairs to the roof. In fact, during one rainstorm my desk was under water, so I know there are some very serious problems that need to be fixed, but I get the sense that we're going way beyond repairing the roof with the project that's under way and spending an awful lot of money. With a building like this, repairs beget repairs and one thing leads to another.

This may well go to the Board of Internal Economy and there are half a dozen members who have things under control and who should in turn report back to their caucuses on those items, but I wonder if this committee isn't a more appropriate place rather than caucus for Mrs Speakman or the Speaker or somebody to give us an update and some hard numbers as to what we're spending.

1640

**Hon Mr Warner:** I appreciate the question. There was a special committee on the parliamentary precinct and it had a mandate to oversee the restoration and renovation and repair of this building. The precinct committee did all the background work—it was an all-party committee of five members—and worked very closely with the architect, as well as with Mrs Speakman.

**Mr Mahoney:** Mr Mancini was on that from our caucus.

**Hon Mr Warner:** That's right. The committee did excellent work. Unhappily, the committee was not reinstated when the House resumed sitting in the spring. It needed to be and it wasn't. The Speaker has no control over that; that's at the discretion of the government House leader. That would have been the committee, logically, to have addressed the type of question you're asking.

What I can tell you, I guess, are two things. First of all, I do believe there's been an effort to provide, from time to time, an update on the work that's being done in a bulletin, whose title I can't remember, that's sent around to the members' offices.

**Mr Tom Stelling (Sergeant at Arms):** In The Works.

**Hon Mr Warner:** In The Works is the name of it. The repair of the roof is a contract which was let some time ago. Obviously, at the time you put the scaffolding up, there is the opportunity then to repair the brickwork also, much of which is simply falling off. There are chunks of it that are literally falling off because of erosion and some serious problems. That needs to be done and this is the opportunity to do it, obviously. There are even certain places where the mortar has fallen out. This building's 100

years old and it has been neglected for some considerable length of time and it's in the process of being repaired.

I understand at this date, quite happily, that everything is under budget and is on time by the construction schedule that was set out. Of course it shouldn't be a surprise that we're doing well financially on it, because during recessionary times the companies that are bidding on these projects are coming in with very low bids. They're hungry for the work and, to my knowledge, the result is that everything that's been tendered out has come in with bids lower than what we had budgeted, so we're pleased from that aspect.

My last part of this answer ties in to something you asked earlier. The management advisory committee, which consists of the Speaker, the Clerk, the controller, the director of supply and services and the director of the library as well as the managers from the three caucuses, is invited to do a little tour up to the roof to see the damage, to see what was being done, to witness first hand, close up, the actual work as it's unfolding. It's quite an interesting experience if one doesn't get a sense of vertigo about it, which unhappily some of us did, but it gave us a close-up view of the extent of the damage. Maybe you'd have to see it for yourself, but it really is extensive.

Still, the work is proceeding on target and on time. I can't remember the precise projection, except that I believe they should have completed that front portion where you see all the netting and so on by November and will have moved to the other portions of the building.

Admittedly it is difficult to keep everyone up to date on what's going on, and you probably get inquiries in your office or visitors who come down and say, "What's going on?" It's tough sometimes to be kept entirely up to date. I will be pleased to talk to Barbara to make sure we are getting a very regular update that goes into the members' offices so that you're fully informed as to what's going on.

Last, I think members can appreciate that this is a very unusual construction site. It would be foolhardy of us not to take every conceivable precaution for public safety. As I mentioned earlier, we have at least 250,000 visitors a year, and those people are still going to come to the building whether we're repairing it or not. Should any of them be injured, even slightly or much worse, the public outcry would be horrendous, and deservedly so. So we have taken every conceivable precaution to ensure that it is a very safe work site both for our visitors and of course for the people who are working there, and we try to be a model employer in that regard.

As well, I might add, there are 55 or 56 persons who are employed, and nine of them are apprentices. We are able to provide some apprenticeship training and, of course, there's some—I wouldn't say gender balance, but there are women on the work site as well. So we're trying our best to be the model employer and at the same time get the people who can do the job well. It's an artisan type of work that's being done. The slate replacement is a specialized task and so the people who can do it are very few in number, but we've been very fortunate in getting the best people in the field and at very good prices.



**Mr Mahoney:** Just to follow up on that, since the precinct committee was not reinstated, it might make sense to have a report to this committee on a regular basis, every quarter or something. Maybe that's too often, but something reasonable. I think that to assume members are going to stay abreast of something that's sent into their office is sort of like relying on e-mail, and, you know, it's not even fashionable to read your e-mail any more. I just wonder, in light of—

**The Chair:** If I can be helpful to the member, I understand that the Board of Internal Economy has basically taken over the function of the precinct committee, if I'm not mistaken. I think if we had some sort of directive or motion from the committee here requesting that the Board of Internal Economy give some sort of quarterly report on the progress of the repairs, it may be helpful to the members.

**Hon Mr Warner:** I appreciate Mr Mahoney's suggestion. The Chair is right. The Board of Internal Economy has assumed, it would appear, complete responsibility for overseeing all of this. The reality is that the Board of Internal Economy has met twice this year—three times?

**The Chair:** Yes.

**Hon Mr Warner:** To my mind, from a logical, rational point of view it would make sense that if the precinct committee is not to be reconstituted—although I think there is a superb argument for saying that it should be reconstituted—then perhaps this committee would be the most logical committee to have routine and regular reporting so that you are kept up to date and, therefore, your caucuses. In the meantime, your managers are involved in that they are invited—we meet almost every week, the management advisory committee. The caucus managers are invited to attend, and most of the time they're there. So whatever is discussed by way of report with respect to the building repairs is then made available to the caucus managers, and they in turn report back to you.

**Mr Mahoney:** Perhaps I could just point out, though, that the reason I suggest this committee—and I frankly think this might even be better than a precinct committee—is because we are in public. The Board of Internal Economy is not a meeting where Hansard is keeping a record of things and where there's stuff on the record so much. Then it's up to the representative to come back to caucus, and it's much more of an internal thing, if for no other reason than the old saying that not only must justice be done, it must be seen to be done, if exactly what we're doing is put on the public record.

One other question I have is whether the plan has proceeded and, if so, what the status is—the plan of moving members back into this building and having this building being primarily for the members of the Legislature and their staff.

1650

**Hon Mr Warner:** I'm pleased you asked that. You're right. The long-term goal is that all the members of the assembly should be accommodated in the building. The process to help make that happen was moved along in leaps and bounds by my predecessor and in part by signing

the memorandum of understanding with the Ministry of Government Services, which brought the building under the control of the Speaker for the first time. It then meant that you could start to make moves with respect to ministries to move out of this building and any other function not directly related to the members.

My understanding is that most of the cabinet office has already moved, and the remaining will be done by July.

**Mr DesRosiers:** Yes, this summer.

**Hon Mr Warner:** What we'll end up with at some point is a "ceremonial" office for the Premier, but all of the other staff who work for the Premier will be located elsewhere and then bit by bit we reclaim.

Part of the puzzle, though, is of course the fifth floor, which as you know has been shut off by the fire marshal for years. That's part of the long-term plan of the restoration in order to reclaim that currently unusable space. If I'm not mistaken, that space represents about 15% of the total area of the building, so we're talking about a fair bit of space.

Until that happens, we can't guarantee 100 offices. I think in general terms what we're looking at as a target is 100 offices, but also making allowance in some of those offices so that at least cabinet ministers might have a desk and a phone as a place to be when the House is sitting. That in essence accommodates all 130 members. That's the goal. I'm not sure by the end of this summer or the beginning of the fall how many members we'll accommodate. I don't want to guess at a number.

**Mr DesRosiers:** These are questions on which I think I'd take up the suggestion made by Mr Mahoney. I'm certain—and I'll be talking to Miss Speakman shortly and asking her to please make a report to you—she would be happy to come before you. She has all those figures and all that information in complete detail. She could at the same time give you a complete breakdown as to where the project for renovating and fixing up the building is at.

Basically what's happening now is we're replacing the roof—it's a complete replacement of the roof—and there is a project to replace some of the windows. You'll realize some of the windows are basically huge windows. A study has been made of various windows and some have been declared unsafe. We did have an incident a couple of years back just before I got here where some of the huge windows in the chamber flew in in a big wind. Fortunately the House was not sitting. They just fell right on the floor, right on the Clerk's table. It could prove very dangerous. A study has been made of all the windows in the building and certain of them have been declared unsafe. That is going ahead as well in the same project.

This whole renovation project is one that we know now, as a result of the work of the precinct committee, where, if it is the will of the Board of Internal Economy and if it is the will of the members here to renovate the building—we know we have a heritage study that tells us what steps can be done and should be taken and what is missing now. This will take the time that it takes. It will be dictated and run by the board basically, and by this committee, if it so wishes, to say, "It is now time to move ahead." All that has been approved by the board so far is



this initial project of the roof and the windows. As the Speaker said, the scaffolding is such an expensive proposition that once the scaffolding is up then we have to do a lot of the mortar work as well. That's part of the main fix-up. But that's progressing and that's all that has been approved so far.

I think it's a very good suggestion that this committee be the recipient of a report from Ms Speakman on a regular basis as to all the various items, as to the recuperation of the building for the members and the renovations and restorations as they moves along.

**Ms Sharon Murdock (Sudbury):** I just have a couple of things, probably what may at first blush appear to be silly, but we noticed them as we stood at the front of the building. One Thursday we had the trillium planter when we left—that's what I call it, that huge planter that was in the middle of the walkway—and when we came back on the weekend it was gone. Is it gone for ever?

**Hon Mr Warner:** Yes. It was something that needed to be moved. It was a temporary thing to begin with and there was no foundation for it. It just sat like a giant planter on the ground.

There were a number of concerns raised with respect to the safety of individuals who had come to demonstrate at the building. Because of the construction, all the demonstrations were being moved further south on the property. As they moved further south, what happened was that trillium bed was in the way and it was becoming a hazard.

What we're going to look at is a substitute somewhere on the property, and I've asked them to take a look at what would be most feasible and most attractive and to use a bit of imagination. We can take a look at what can be put in that would be a suitable replacement and would be equally, if not more, attractive than what was there before. But for safety reasons it had to be moved.

Plus, in the long-term plans, the front of the building changes slightly in terms of the pavement and the entranceway. All of that changes, and with it an encroachment on the area where that planter was located. So at some point it had to go anyway. We moved it quicker because of the safety concerns that were raised.

**Ms Murdock:** That leads into the next question I had about the archway. As you have said, as a consequence of that archway—I presume that's up for safety factors as well—it has resulted in demonstrations being moved south on the property. Is that the plan, or should I be asking security at some point? Is it intended that it's going to remain that way, where they won't be coming up to the stairs any more?

**Hon Mr Warner:** I'm not sure.

**Ms Murdock:** Well, I can wait for the security section.

**Hon Mr Warner:** Thomas can tell you. I'm really not sure, because it's been a long time since I've seen the sketches of what that front elevation looks like.

**Ms Murdock:** It is going to be changed, though?

**The Chair:** If I could help the member, there is going to be a new entranceway at ground level where people in wheelchairs, for example, could come in at the ground

level, which would be the cafeteria level right now. In the main restoration plan, that in fact would become the main lobby down there for all visitors and school tours and stuff like that. That would be at ground level. Instead of that ramp, people would be able to wheel right into the lobby at ground level.

**Hon Mr Warner:** There would still be a demonstration area at the front. I mean, nobody is going to provide a barrier for the public to appear in front of the building. As to whether they move south a bit because of the configuration, I'm not sure. I doubt it would be by a whole lot anyway, but to some extent.

1700

**Ms Murdock:** You say the scaffolding is going to be moved to another portion of the building as soon as they finish. How long do we have to look at that scaffolding? Do you know? Do you have any idea?

**Hon Mr Warner:** From where it is now?

**The Chair:** Nine months.

**Ms Murdock:** November? The other question I have was raised when you were speaking earlier in terms of this building being used by the members: Does that mean the media will be moved as well?

**Mr DesRosiers:** It does not mean that; it has not been addressed at this point. If it ever is addressed by members of the media then you'd have to have discussions. Other parliaments have done it with the full cooperation of the media.

I can give you the example of what happened in Ottawa. The media kept a space in the main building: a very good space. They need to be close to the chamber. But their offices and things like that were moved to a building across the street on Wellington in the national press centre. I don't know what the arrangements were there and so on but that's where they went.

In that building they have a press theatre. When you watch press conferences from Ottawa and you see the Prime Minister or ministers or opposition parties, or even people giving committee reports—you'll see the chairman of a committee with two of his colleagues using that theatre. They actually have two press theatres: The main theatre is in the press building and so the members go across the street and hold a press conference there. There is also what is referred to as the studio in the main building which is used by the members for various things, for quick interviews and things like that.

This brings about the question as to what can be done here. Queen's Park really operates under a completely different philosophy than Ottawa. The caucuses here are units. They have their own administration, they have their own services to a great extent. You'll find that's not so in Ottawa. Each caucus has a research division but that's basically it. It's a research division; it's not an administrative structure.

If I come back to the media and the media studio which we have next door here, we have struggled with that at management advisory committee quite often as well as to what the best use of that space would be for the members. We're going forward soon, I think, with a proposal to



the board on that. If the board wants to do something with it—and caucuses will have input and so on—that'll be the occasion.

As for the physical offices of the press, that's for the future. I don't know. I guess that's for this committee as much as—it's certainly not a staff matter.

**Ms Murdock:** I just want to thank you—

**The Chair:** Sorry, just briefly as co-chair of the precinct committee: We dealt with this issue. In fact we had a presentation from the press corps here in the building. It's obviously the intention of the precinct committee, correct me if I'm wrong, that the press will remain in this building. Just where in this building is up for negotiation. The plan calls for most of the fifth floor to be devoted basically to the news media. It was always the intention to have the news media remain in this building.

**Hon Mr Warner:** But not the fifth floor in its present condition.

**The Chair:** Not the fifth floor in its present condition. That is still subject to negotiation with the press group here. We have another item to move on, so if any of the—

**Ms Murdock:** I just wanted to, in relation to Mr Mahoney's comment—

**The Chair:** Briefly.

**Ms Murdock:** Yes. In terms of this committee being reported to on a regular basis, I think that's an excellent idea.

**The Chair:** With some direction from the committee here, I can certainly take it up with the Board of Internal Economy and ask it, in the absence of the precinct committee, to at least submit a quarterly report, for example, to this committee on the progress of the renovations to this point.

**Hon Mr Warner:** Your committee may wish to make a request. I think that would be entirely appropriate. We're leaving this item now?

**The Chair:** Basically, if members have no more questions—a very brief question, Mr Mills?

**Mr Mills:** It's a very brief question. I've also discussed it with—we're talking about member services here. I find it quite an inconvenience, since my office is down on College Street—on some days, particularly Thursday when I go to a committee of cabinet, I have a big briefcase full that I have to carry. I have my other briefcase to carry. Then I have to juggle things about because I'm going to be weighed down. What I would like to see—and I don't know if it's been investigated—is some sort of locker system in here. It may seem trivial but it really is a problem for me getting my stuff organized and to and fro on the committees I'm on.

**Mr DesRosiers:** It's my basic belief that, if possible, every member should have an office, no matter who that member is, no matter what responsibilities that member has, be it the Premier, a minister, parliamentary assistant, or a simple backbencher. Every member should have an office. It hasn't been that way here. If you go back 25 years, I'm told very few members had offices here. They

had a common room. I guess they had lockers then and that's all they had.

I have a lot of difficulty with the system here that says to a member, once he or she receives a promotion to PA, "You're going to have to give up your office." If that happened to me I'd raise a mighty squawk. Unfortunately we don't have the space right now to accommodate it. But, as the Speaker said earlier, if we arrive at an approximate number of 100 offices here we will be able to accommodate at least one office for every member, possibly with the exception of cabinet ministers. Even then, cabinet ministers, I feel, should have at least an area here they could call their own. We're moving towards that.

**Hon Mr Warner:** We'll take up your suggestion, though. I'll talk to Barbara Speakman and see if there's some way we can accommodate your request.

**Mr Mills:** Right now people say to me, "You can leave your cases in the whip's office," which we do. Then, when you go to get it there's no one there. You've got to get security. You come in the morning early and there's no one there. It's very inconvenient.

**Hon Mr Warner:** We'll see what we can do. If there are no more questions—with the indulgence of the Chair, if I could be permitted two minutes just to respond to a couple of things that were mentioned, in particular Mr Owens's comments at the beginning.

I must say that, in the role of Speaker where I've had the opportunity to visit all of the departments from time to time and to be involved almost on a daily basis with the administration of the assembly, I've been singularly impressed with the professionalism and the high degree of dedication the staff have to Queen's Park. They have that dedication and professionalism regardless of who the government of the day is.

They have the sense of serving the members, serving the Legislature. It doesn't matter what job the person's doing. We've got a couple of guys who work on a loading dock downstairs almost directly below here, the carpenter, the florist, the kitchen staff. Just go through, department by department. It doesn't matter what the job is; there's a certain sense of pride about working here and participating in helping to make this a very special place and serving the members. I appreciate the comments you made. The staff from time to time—I think it helps their morale when members pass along compliments to them and say, "We do appreciate the work you do."

In closing, the irony of it is that the better you do your job in serving the Parliament, the less people notice you, because that's the sign of success. You're so good at your job that everything runs so smoothly, nobody notices what you're doing. Often we forget to say thanks to the staff for the work they do, so I'm pleased members have mentioned that and indeed will be able to pass it along to the staff.

**The Chair:** Thank you, Mr Speaker. Very briefly, again, the other function of the precinct committee is to look after the allocation of space among the parties. Since the precinct committee is not around, maybe that's a function the Board of Internal Economy might like to see this committee look after as well.

I wish to thank the Clerk of the House for coming along here this afternoon and participating in a very good exchange of questions and answers. We look forward to you coming back again some time in December; I think it's every six months.

**Mr DesRosiers:** Thank you, Chairman. It's always a pleasure.

**The Chair:** The next item on the agenda for this afternoon is dealt with in camera.

The committee continued in closed session at 1711.









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#### **Substitutions / Membres remplaçants:**

- \*Harnick, Charles** (Willowdale PC) for Mr Villeneuve
- \*Murdock, Sharon** (Sudbury ND) for Mr Farnan

**\*In attendance / présents**

#### **Also taking part / Autres participants et participantes:**

Mahoney, Steven W. (Mississauga West/-Ouest L)

**Clerk pro tem / Greffier par intérim:** Decker, Todd

**Staff / Personnel:** Yeager, Lewis, research officer, Legislative Research Service



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## Assemblée législative de l'Ontario

Deuxième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 21 October 1992



# Journal des débats (Hansard)

Mercredi 21 octobre 1992

## Standing committee on the Legislative Assembly

Subcommittee report

Guidelines for plaques and  
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## Comité permanent de l'Assemblée législative

Rapport de sous-comité

Directives concernant les plaques  
et les statues à Queen's Park

Chair: Noel Duignan  
Clerk: Douglas Arnott

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# LEGISLATIVE ASSEMBLY OF ONTARIO

## STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Wednesday 21 October 1992

The committee met at 1549 in room 151.

**The Vice-Chair (Mr Mike Farnan):** I call the committee to order. First of all, I have to inform the committee that our revered chair, Mr Duignan, is travelling in the far west representing the government and giving advice. I believe it's the Northwest Territories.

**Mrs Margaret Marland (Mississauga South):** What's he giving advice on?

**The Vice-Chair:** I believe it's some Legislative Assembly work in that jurisdiction, and he was invited to go and participate.

**Mrs Marland:** You'll be invited next time, won't you?

**The Vice-Chair:** We all grow in our roles, Margaret.

### SUBCOMMITTEE REPORT

**The Vice-Chair:** Anyway, first of all, we should thank the subcommittee for the work it has done in preparing for today's meeting. You do have a report of the subcommittee and an agenda for this particular meeting. I first ask if we can approve the subcommittee report of Wednesday 14 October. Agreed? That's unanimous.

We will move on now to the agenda for today's meeting. We'll start now by welcoming, from the office of assembly services, Barbara Speakman, who is the executive director; and from the interparliamentary and public relations branch, Karyn Leonard, the director.

**Mrs Marland:** I just have one question. Having just scanned down the report of the subcommittee, there are four weeks where the subject is to be determined, and then when we get to December 9, it's the report by the Clerk on changes in the administration of the House and the provision of services to members and a report by the Sergeant at Arms on security. Is that left until December 9 because it's an annual review and an annual report? Is that why it's put off till then? Probably.

**Clerk of the Committee (Ms Lynn Mellor):** There are time lines with the Sergeant at Arms on security. It's a transfer plan, and it was leaving an opportunity for this to be completed so that when he's reporting, hopefully things will have been completed at that time.

**Mrs Marland:** That's what the changes in administration of the House and—all that is interwoven, and the reason it's being set aside until then is that it's a matter of timing.

**Clerk of the Committee:** That's right. At this point, yes.

**Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings):** Could I just make a comment on the report of the subcommittee, part 3. "That the following business be scheduled during the winter adjournment": it says "Review of committee system." I was present at the subcommittee meeting, and I believe we agreed we would review any existing reviews of the committee system before we did a

review of the committee system. That's not exactly how it's stated here.

**The Vice-Chair:** On page 2 of the subcommittee report, if it's agreeable, maybe we can make that technical change. I think the subcommittee is suggesting to us as a committee that we look at the reviews that have already taken place rather than initiate, at this stage, an official review. In fact, that makes good sense, and it would lead into the area of Wednesday 28 October, which talks about commencing the review of the committee system.

I think what we would really be doing there is changing that item, which is the second item on page 1. I think we would be inviting the Speaker at that time. Is that correct? They would look at the reviews.

**Mr Johnson:** I'm not sure. I thought the clerk—not necessarily the clerk, but maybe legal counsel—is there legal counsel?

**Mr Mike Cooper (Kitchener-Wilmot):** Legislative research.

**Mr Johnson:** I stand corrected. I thought legislative research would bring us forth that information with regard to any recent reviews that had been done of the committee system, and I understand there may be some.

**The Vice-Chair:** I appreciate the clarification, Paul, because I think you were present at the subcommittee. Margaret, did you want to add to that?

**Mrs Marland:** I agree with Mr Johnson. It makes eminent good sense not to start another review when there's existing information available that's been done historically. I'd be very happy to agree to make that the review to which we're referring.

May I just ask another question? On page 2, item 2 is: "Review of wearing of buttons/members' dress code/members' conduct (see Speaker's ruling of Tuesday 6 October)." I don't want to get into the subject because I realize it's not on the agenda today, but just so I understand the report, to which Speaker's ruling on October 6 is this reference made? Does anyone know?

**Mr Gilles E. Morin (Carleton East):** I seem to recall vaguely that somebody came in wearing a button; I can't recall who. Anyway, Bob Runciman, I believe, stood on a point of order and wanted a ruling from the Speaker. The Speaker said at that time, "As you know, it is not the Speaker's responsibility to establish procedures or regulations as far as dress is concerned, and I would ask the committee of the Legislature to come out with some recommendation."

I think this decision finally has come out, because we certainly have to look at the dress code. Ontario is the only province I know where people walk in in shirts and all kinds of sweaters and so on, and it's never conducive, in my opinion, to a proper forum to debate. I think it's an



issue we have to look at very closely, if you look in the European countries, if you look all across Canada at the way members are dressed. This is something where we have a real responsibility.

I know for a fact that many members won't accept a regimented type of regulation, but let me tell you, it's very necessary when I hear the comments across the province about how poorly people are dressed in the House, or their conduct or lack of respect vis à vis the Legislature itself. I think we have an extremely important role to play in this.

**The Vice-Chair:** If I might direct you to page 2 of the subcommittee minutes, item 2 clearly indicates that this is business that should be considered by this committee during this fall session. But in order to get the committee moving—we have today's schedule organized—I believe we want to make the amendment to the minutes of the subcommittee. It would come under the area "Wednesday 28 October." I believe what we would insert there would be, "Commence review of previous reports," ie, the standing committee on the Legislative Assembly and the standing committee on procedural affairs, with regard to the committee system. These reports are already in place, and as Paul and Margaret have pointed out, it makes good sense that we look at these reports before coming to a determination of whether we should be beginning a new review. Can I have agreement on that for Wednesday, October 28? That might allow us to move on.

**Mrs Marland:** I just have two questions. First, who has asked for the review of the committee system?

**The Vice-Chair:** I believe the invitation was put to the committee by the Speaker in two pieces of correspondence to the Chair, one in February 1991 and the other in April 1991.

**Mrs Marland:** And he just said to review the committee system?

**The Vice-Chair:** There are perhaps a lot of new members on this committee at this stage, from the time this correspondence was issued. What we should do is make this correspondence available to all the members of the committee in anticipation of the Wednesday meeting on the 28th.

1600

**Mrs Marland:** I'm agreeable to do that on the 28th. I do have one concern. I'm quite happy to state publicly that I'm very concerned about the decorum in our House. I wouldn't want to see the subject addressed in the subcommittee report, on page 2 under item 2, members' conduct, including the dress code and the wearing of buttons—I agree with Mr Morin that the dress code is important, but I'm even more concerned about the members' conduct, that is, all three parties. I think we make the job of the Speaker unbearably difficult at times, and unnecessarily so. I think every one of us, in all three caucuses, must be embarrassed by the behaviour of members in the House, recognizing that the House is televised and we have guests in the public galleries, especially young people who come to visit the Legislature, and they look down and think: "Are these our elected members? Is this how they behave?"

Without spending too much time on it, I would just like to say that I recognize it will take more than one meeting to review the committee system, and I wonder if it is not more urgent that we first deal with members' conduct and those other items listed under item 2. We could deal with that in one meeting. I think the review of the committee system would take more than one meeting, and I think once we start it we probably would want to stay with it.

I'm simply suggesting that if we take the subcommittee report in the order listed on page 2, we would in fact be dealing with members' conduct in the House ahead of the review. Maybe that would be better, because here we are on the 21st of October, today, and we've got another six or seven weeks of the House sitting, and those weeks become very difficult during a long session. I think we should try to facilitate what we're all responsible for in the House, which is representing our electoral districts to the best of our abilities. Quite frankly, some days in the House it's very difficult to hear, and I'm personally not either comfortable or very proud of what goes on in the House. Regardless of who is in the chair, we make the Speaker's role and responsibility very difficult, and it's demeaning for all of us.

I would like to suggest that maybe next week we deal with item 2 as in the subcommittee's report, and then the following week deal with item 3, the review of the committee system.

**The Vice-Chair:** Are there any other members of the committee who wished to make comment?

**Mrs Barbara Sullivan (Halton Centre):** Mr Chair, I want to clarify your comment that there were reports available with respect to the committee system item from the Legislative Assembly committee and government agencies.

**The Vice-Chair:** Procedural affairs.

**Mrs Sullivan:** As you know, I'm a member of this committee but I haven't been able to participate recently because of involvement in the justice committee. Are those reports now available to members of this committee, and have they been circulated?

**The Vice-Chair:** I'll refer that to the clerk.

**Clerk of the Committee:** They have not been circulated. They're old reports. Some of them date back to about 1982, 1983.

**Mrs Sullivan:** Okay. I know which ones they are then.

**Clerk of the Committee:** We'd be putting them together and circulating those to members.

**Mrs Sullivan:** Then that leads I guess to the next section of the question that I was going to ask. Were the recommendations in those reports limited to the work of standing committees or did it also look at the work of select committees, which have a very different surround in terms of legislative activity, and then thirdly, did it look at the question of independence of voting among members, apart from a whip or a caucus system?

I think if we're looking at the committee system we may not only want to look at the administration and the support for members but we may want to look at some ancillary questions which would be useful in terms of



making the House in fact work better and perhaps in a slightly different way.

I think that I'm in concurrence with Mrs Marland, that a one-day review of the committee system isn't adequate, but I wouldn't want to start that review until we've in fact done some homework.

**The Vice-Chair:** I appreciate your comments and I think perhaps by distributing these reports in advance of the Wednesday 28 meeting it will answer questions you've raised for all of the committee members and we can see what gaps are available and where we want to take that particular initiative.

**Mrs Sullivan:** If I could as well, Mr Chairman, just move to the agenda item from the subcommittee on Wednesday, December 9.

**The Vice-Chair:** I don't want to dismiss Mrs Marland's suggestion.

**Mrs Sullivan:** No, and I'm supporting her on that, but I'm also concerned that one day for all of the administrative matters—members' services and security report from the Sergeant at Arms—would be adequate. I've been through other committees in the past where it has taken three or four occasions to deal with those issues.

**The Vice-Chair:** Let me try to clarify. I was not a member of the subcommittee and I don't know if any members of the official opposition or the Conservative Party who are present today were at that meeting. I take it you were not.

**Mrs Marland:** No, Mr Chairman, I wasn't.

**The Vice-Chair:** Maybe we can try to focus this. At that particular meeting what we had was an agreement by all three parties that on Wednesday, October 28 we would have a review of the previous committee reports. You'll notice that the other dates right through November and December are left undetermined. I've heard from both Margaret and Barbara right now that we don't want to take just a one-meeting approach to the area of conduct of members and so there is some room in that particular area.

**Mrs Marland:** No, excuse me. No, what you heard was that we need more than one meeting to review the committee system.

**The Vice-Chair:** That's right.

**Mrs Marland:** It won't take more than one meeting to discuss how we'd like the proceedings in the House to proceed.

**The Vice-Chair:** Okay.

**Mrs Marland:** So I think the conduct etc could easily be done in one meeting. But I would like to suggest that we are only dealing with a committee report and the committee itself can adjust a subcommittee's report, and you're absolutely right: The person who sat for us is not able to be here today because he's actually in the chair.

**The Vice-Chair:** Let me put it to the floor again. We'll amend the report of the subcommittee and we will deal with item number 2 of the subcommittee's report on Wednesday, October 28. We will then move to Wednesday, November 4, the item commencing the review of previous

reports regarding the committee system. If that then moves on into the following weeks, so be it.

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**Mrs Marland:** That's excellent because it gives us, as Mrs Sullivan has identified, more time to review those reports before November 4.

**The Vice-Chair:** I think, Margaret, we're demonstrating that we are models of cooperation.

**Mrs Marland:** We're superb.

**The Vice-Chair:** I think we've got it now, folks. I should thank the people who are here to brief us today for their patience. Yes, Ellen?

**Mrs Ellen MacKinnon (Lambton):** With all due respect to everybody, I was sitting on this committee last year about this same time, and I very well remember us being asked to review the committee system at that time. Now, I also know that the wearing of the buttons and members' dress code etc is very important, but I also know that this happened this year; it says October 6.

I suggest that the review of the committee system, as I have followed it through this committee, is of prime importance. I feel the sooner we get started, the better it will be. I have a bit of frustration trying to say that what was found here on October 6 is going to take priority over something that we started a year ago. The committee system has been a subject of great debate and discussion on this committee ever since I came here.

**The Vice-Chair:** I thank you for your comments. You have put matters in a historical context. We're not underestimating the importance of the review. We're simply saying that it will be put off one week in order to deal with an item that can perhaps—and I think the members from all parties would agree with you. We're simply putting it back one week because there is an item that we feel can be dealt with rather succinctly. So we take your direction. Because of its importance it will receive a greater time allocation; I think that's what the committee is saying.

**Mrs MacKinnon:** Mr Chair, I suggest to you that this one for review of the wearing of the buttons, the members' dress code, the members' conduct, will take much more than one meeting.

**The Vice-Chair:** I think the committee members have agreed that we will look at that for one meeting and then we will move on to the review of the committee. Is that correct?

**Mr Morin:** But as we've just mentioned a minute ago, how flexible and how good we are to have come to a decision. If we feel that one afternoon is not sufficient, you know, we just go on with another afternoon to make sure that we come out with a solution which is acceptable and agreeable to everyone.

**The Vice-Chair:** I'd really appreciate now at this stage the cooperation of all members of the committee on moving ahead with the agenda. I think we have reached a reasonable compromise for now. If we have to come back to this issue as to allocation of time, let's come back to it. But we have before us right now people who have been very patiently waiting to address the committee.



I think it would be opportune to ask Barbara Speakman and Karyn Leonard to make their presentation, and we can review these other matters later. Can I have committee consensus on that, please?

**Mrs Marland:** Yes.

**The Vice-Chair:** Thank you.

#### GUIDELINES FOR PLAQUES AND STATUES AT QUEEN'S PARK

**The Vice-Chair:** We welcome you to the committee and we look forward to your presentation.

**Mrs Barbara Speakman:** I'm very pleased to be here once again. I'm not exactly sure what the committee is looking for, but perhaps I can talk a little bit about the statues that are already here on the grounds, how they arrived there and the kind of guidelines that seem to have been in place for many, many years. Then we'll look at the various commemorative plaques that you see around the building, which are a little more difficult to talk about since they cover a wide variety of groups, commemoration of events or people and are much more difficult to get a handle on in terms of policy.

I'll start with the statues. We conducted a review fairly recently, actually, for the Board of Internal Economy on the statues. The existing statues at Queen's Park always represent individuals who had a significant role in the parliamentary history of the province. Only in one case is there an event commemorated, and that was the statue commemorating the North-West Rebellion. Everything else has been an individual who played a significant role in the parliamentary history of the province.

There is, of course, Sir John A. Macdonald right at the foot of the circle there, John Graves Simcoe, John Sandfield Macdonald, Sir Oliver Mowat and so on. Also, of course, we have a monarch, Queen Victoria; Queen's Park was named after her also.

Traditionally, the statues were erected always after someone was deceased. They were never erected for a living individual and tended to be lieutenant governors, prime ministers, premiers, monarchs and those kind of individuals.

As you know, we have developed a master plan for the renovation and restoration of the building and the grounds over the long-term future. Although we're starting with repairs, I guess eventually we will begin to work on some of the other things it contains.

There was quite a bit of research done by the heritage adviser on the statuary on the grounds from the point of view of the future: how the grounds should look in the future and how they looked originally when the building was erected. He has indicated that it is very much the parliamentary tradition of the province that was reflected in those statues, as opposed to particular government figures or others who were involved perhaps in industry or something like that.

We also looked at other jurisdictions, and none of them has really looked at a policy per se on statues or their placement. Alberta is apparently beginning to develop one, because I think they're running into some difficulties with requests for statues, as we have here.

In Ottawa, of course, they have a different situation because the National Capital Commission looks at statues on the grounds of Parliament Hill. Public works looks after the erection and the maintenance of them and so on. They have that dual role there.

In terms of art, sculpture and those kinds of things in the government buildings, they have a policy and, as you know, Fern Bayer, the curator of the joint art collection of the Parliament and the government, is responsible for the government buildings and any sculpture and so on that's erected there.

That's the way things are at the moment with statues. We haven't had a new one erected, I believe, since the 1940s or 1950s. There's very little space left on the grounds for new statues, so anything that was suggested would have to be very carefully selected, possibly highlighting either some very significant event or person in the parliamentary history of the province. That's really all I have to say on that. Plaques: Do you have anything that we can—

**Mrs Karyn Leonard:** Plaques are an interesting subject as well, I guess. We have recently completed an inventory of all plaques in and around the building and also completed a new walking tour of the grounds in preparation for the celebration of the centennial of this building in 1993. Most of the outside plaques and most of the statues have been included in that.

The subjects of plaques, of course, vary just a little bit. Plaques tend to be presented as opposed to a choice made by a group responsible for erecting a statue on the grounds of a Legislature such as this one. We have had many plaques presented to the assembly and to the building itself by various groups, some cultural communities. There's really much more of a variance in the plaques themselves. There, too, we're running out of space for putting these plaques up.

The last one that was put up, in the lobby, had to replace the one that had been there for some time. It was a former one really related to the same group, a cultural community within Ontario. So the agreement in order to make room for that one was to remove the former one. As you can see, we have run into some space problems, and mounting anything that's readable with the type of wall furnishings we have is also very difficult.

I think really, Barbara, that's the scope of the plaque issue as well.

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**The Vice-Chair:** Thank you very much. I'll now ask if any of the members would like to make comments or ask questions.

**Mr Morin:** Were there any committees before? Were there any regulations? Were there any persons, for instance, who were involved with Ontario heritage to make sure that the building maintains its historical cachet? How did one proceed?

**Mrs Speakman:** I think in previous times the members of the day would decide that a new statue was to be erected, and there were the guidelines with respect to parliamentary tradition: The person was a deceased person—they were not living—and so on. But since we haven't had



one for such a long time and there is no specific committee, the board asked us to look at that. They accepted these guidelines as they were. They didn't change them. They didn't issue them as a policy, however. It's not a formal policy. They just asked for a report, the same as you are right now, on how things were done in the past.

That's something you might want to look at. Perhaps a committee or this committee might want to look at statues and policy and the guidelines we already have. We can certainly circulate those. There's only been one request since I've been here for a new statue and it was not accepted by the board since it was not in keeping with any of these guidelines.

There are other alternatives, of course, for statues. The government may wish to erect one on government property as opposed to on the grounds of the Legislature, which would fulfil other needs.

**Mr Morin:** Barbara, you've been involved quite seriously for the past two or three years in the refurbishing of this building and the maintenance. Surely you must have looked at this type of group that should be formed.

**Mrs Speakman:** Yes.

**Mr Morin:** Could we hear your ideas on that? I don't want to put you on the spot.

**Mrs Speakman:** I believe that in this Legislature it should be a committee of members of all parties, obviously. It would be in keeping with what the Speaker and the members have been trying to do since 1987-88 when the building was taken over from the Ministry of Government Services and it would be in keeping with everything we do here. My suggestion obviously is to keep those kinds of decisions as all-party decisions of the members, recommended to the Speaker, who is responsible for the grounds.

**Mr Morin:** Just one more question on that.

**Mrs Speakman:** And then the Speaker would accept your recommendations.

**Mr Morin:** Who else would you see on that committee?

**Mrs Speakman:** We have a heritage adviser who is retained for the duration of the renovation work and he has, as you know, developed for us the heritage master plan, which includes the grounds. There are segments of that report which relate to statues. That is certainly an individual who I think would be an excellent choice. There are other members of the Toronto Historical Board and the Ontario Heritage Foundation who sit on our technical advisory committee for the building and they could extend to this committee.

I think there are all sorts of individuals who are presently helping us with those things who could make themselves available to any committee of members that might wish to look at statues and plaques.

**Mrs Marland:** I would be quite happy to have an all-party committee formed, but I think we're sort of getting into a make-work program here. I think if we had the committee in existence and there's a specific request from some representative of the public, in the community etc,

then at least that would be a non-partisan, all-party vehicle that the request could be referred to.

But I also want to state very strongly that I support the precedent for parliamentary history being an established policy for what we have around this beautiful building; I think it's a very good one. I think it's very important. We don't have a lot of space around this building. We do have a few beautifully executed statues. Speaking very practically, these magnificent bronze statues that we have are probably not affordable today, anyway, if we were to commission an artist and have the calibre of work that the existing ones represent. Obviously, we're not going to have something of that quality. They're pieces of art. What exists today is a piece of art, and of course it becomes a historical treasure, as it is here, over a period of time.

The last thing I would like to see happen to the available open space that we have left is that it ends up looking like a cemetery dotted with statues all over the place. Also, it's wonderful that we have some green space on which the public can assemble for various occasions, not only to exercise their right and wish sometimes to demonstrate, but to do happy, positive things as well on the existing open space that we have.

I would have a concern about adding very many more to what we have, and I certainly would have a very grave concern if they were not affordable and we compromised on the quality of the work, because in today's dollars and in today's recessionary years, I think the public would rightfully look very dimly on us spending money on statues and plaques when we have people within 500 yards of this building who are homeless and without food.

**The Vice-Chair:** I believe Mrs Speakman would like to respond. Barbara?

**Mrs Speakman:** By way of amplifying what I said previously, some standards were discussed and they are the kinds of standards that would reflect the heritage aspects. For example, the statues and monuments should provide a balance with existing statues and monuments and should not conflict with other existing features, significant views of the building and so on. So there are some standards in place. There should be a permanence to the structure. It should allow maintenance and repairs to be performed easily. It should be of a quality appropriate to the site. So there are a lot of standards that we've already developed in the event that another request comes in. Of course, funding is extremely important and would have to go to the board, in any event, if there were any funding implications.

**Mrs Marland:** If I can just finish on the comment of funding, which was in response to the point I made about the cost of monuments, statues and plaques, there is a tremendous irony here, and I'll tell you what it is. In the last number of years, this committee has discussed at length what we could afford to do to restore this building, and it would be an incredible irony if we were cutting back on what we can afford to do to not only restore this building but in fact to maintain it.

The reason we had to spend the money on the roof was because it leaked and the building inside was being damaged. The greatest monument that we have to the history



of this province, in terms of a parliamentary system and a democracy, is the building itself. When you think of how we have spent hours debating whether or not we could afford to restore—I'm not talking about unnecessary renovations; I'm talking about the practicality of maintaining this building so that it doesn't collapse around us, which indeed was what was starting to happen.

1630

When we talk about funding, I'd like to emphasize the fact that there is that irony. We have had people saying: "We can't afford to do this and this and this with this building. We should go up to some industrial land north of the city where it's inexpensive and build a brand-new legislative building, because we can't afford the \$60 million that is required to restore this building to maintain it as it should be maintained." I've always thought what a lot of nonsense that was, because we couldn't build a new building for \$60 million; we probably couldn't build a new building like this for \$500 million. We've hesitated. We've been shrewd custodians of the public purse, by hesitating to make the decision and making the decision carefully about how much money is spent in maintaining this building.

**The Vice-Chair:** I have to interrupt at this stage, Mrs Marland. I want to move on in the rotation. I'll ask Mr Cooper to make a comment.

**Mr Cooper:** Barbara, one thing you said was that there was one request for a statue. Do we know what it was?

**Mrs Speakman:** Yes. It came through one of the members, from Mr Perruzza. It went to the board and was discussed and was not agreed to at that time.

**Mr Cooper:** As we're looking at one request, I'm wondering why we would want to set up a committee that would review this. Maybe what you could do is send these guidelines to this committee to look at and see whether they're appropriate. I really don't see the purpose of setting up a committee and spending the money on something like that.

**Mrs Speakman:** Yes, it's very infrequent.

**Mr Cooper:** It would be very infrequent. If we could maybe have these regulations referred to this committee, I think that would be a far better approach than setting up another committee.

As for the question about the plaques, how many plaques are presented within a year, would you say?

**Mrs Leonard:** Sometimes one, sometimes not even one.

**Mrs Marland:** I think you're thinking of scrolls, aren't you?

**Mr Cooper:** No, I'm talking about plaques that are presented, rather than people requesting to have them.

**Mrs Speakman:** The only activity, I think, in that area since I've been here was one that was a replacement for one that we had, and the other was a request to display one that had been up before but was actually up in the attic and had not been displayed. Someone came to the building and noticed that it wasn't there. We found it and we put it back up. That's the only plaque activity we've had in four and a half years.

**Mr Cooper:** So this isn't a really big issue, either.

**Mrs Speakman:** Not really, no.

**Mr Cooper:** But the one thing that has to be taken into consideration is that I know when you do a tour there is a fair bit of stuff on the walls and for the tour guides it must be enormous to remember what's on there.

**Mrs Speakman:** Yes. We inventoried them.

**Mr Cooper:** What we don't want to do is make this place look like a second-hand shop, if we get too much on the walls. This would be another thing we'd have to look at, whether or not something should go into storage. Maybe there should be a walking tour by the committee to see if there are things on the walls that maybe could be taken down to free up some space.

**Mrs Leonard:** We have that information available for anyone who is interested. Certainly the inventory itself can be circulated, if you're interested in seeing that at this point. Certainly, the information and education officers who are responsible for taking the groups through the building are familiar with the plaques. Very often they're asked for information pertaining to those particular ones, but more and more frequently there are people coming in, members of the public, who have attached particular significance to a plaque they understand is here and are looking for that. In order to accommodate those wishes, we did go and do an inventory as to where they're located. It's more of an information base than anything else.

As I mentioned, we have the new walking tour that will incorporate a lot of the information and help us out in providing another venue for a place to entertain people when they're waiting to go into the House, and educate them at the same time.

**Mr Cooper:** When we first got on this committee, we were sent on a tour. We toured a fair bit of the building. I know there are some real precious gems that are stored away, from the Lieutenant Governor's residence. Let's keep this historical thing here so that we have the history for the people who come in and tour, but as something new comes in, rather than keep piling up on the walls, maybe there should be a review every once in a while to see what could be taken down, to keep it and put into storage. We obviously don't want to get rid of anything, because if we ever do build this new \$500-million building we may have more wall space to fill, but I think this is something that should be continuously reviewed.

**The Vice-Chair:** In rotation, I believe we're moving to Mrs Sullivan.

**Mrs Sullivan:** My impression is that in the past the guidelines have worked fairly well. I sat on the board when there were a couple of other requests for statuary that had been commissioned elsewhere to be placed at the Legislative Assembly in commemoration of an immigrant group or war heroes or whatever. We said no. Frankly, it didn't go very far; I mean, the letter came in and it was a very quick no. The response was that any new statuary to be added would have to fit into the traditions of Parliament which had been upheld so far.



If I have one regret about the current policy, it's that it's not all-inclusive. It limits statuary here and plaques here but does not take into account specific parliamentary artwork which is here. Yet the government collection is over there and the government collection is scattered around various ministerial offices, but that collection doesn't appear in the appropriate rooms of the Parliament buildings, nor do the guidelines reflect the heritage conservation requirements with respect to the furnishings of the place. To a certain extent, there are really quite remarkable furnishings that have been a part of the building over the years; they exhibit extraordinary craftsmanship and reflect the period of the time in which they were created. It seems to me that if there's going to be a policy with respect to the accoutrements of the building, it would be useful to extend that policy to those other areas.

Another area that would be useful, and one of the things I think is a shame—of course, in a recessionary period, it's one thing to talk about setting a policy or a guideline. We know there is not going to be any new statuary added out of the public purse for a while, or other major artwork other than the traditional Speaker and Premier paintings, but I think it is useful to look at the area surrounding the initiation of a project.

There are people—they may be from a particular community, they may be from a particular walk of life—who celebrate the record of particularly outstanding parliamentarians and who ultimately may want to commission and donate a sculpture or painting or whatever. I don't think the guidelines as they exist now go far enough in that area in terms of determining how one would assess the validity, the artistic nature of the work and so on, and indeed whether that kind of offer should be accepted by parliamentarians themselves.

There's another question, that is, that parliamentarians have been really remiss, it seems to me, in marking the parliamentary traditions for an awfully long time. We are not thinking about the visual arts as part of the nature of the building now. We're not talking about commissioning a new sculpture of a progressive leader who had a significant impact on the nature of our province. I think the last statue that went up on the grounds was put up 45 or 50 or maybe 40 years ago.

I think we're remiss in not continuing to celebrate the history. It's a little out of fashion to build a statue to somebody who does something well these days, but maybe it's something that in better times should be considered, along with the commissioning. Then if parliamentarians did decide that perhaps a sculpture to Mitch Hepburn or to someone else would be a useful addition, what is the focus and the nature of a public subscription campaign? That should be part of a policy as well.

1640

The last thing that I think is really important relates to the scale and the medium of any of the accoutrements of the building, and I think that is pretty well covered in the current guidelines. But I think also we have to understand that the nature of art changes. If we are talking about bronze or wood or stone as being the limits of new additions, then we're probably forgetting about what some of

our finest creative artists are producing today and the media they are using. I don't think a guideline or a policy can be static in these areas, but I don't think what we have now isn't working.

**The Vice-Chair:** Barbara, I think Mrs Speakman would want to reply. I'm not too sure if she can remember all of the questions you raised, but certainly some of them.

**Mrs Speakman:** I'll read Hansard and pick up any that I haven't covered.

The Speaker in fact is very concerned that we do begin to look at acquiring, in some way, new additions to the collection that is partly owned by the Legislature and partly the government collection. He's asked us to work with Fern Bayer in developing some kind of acquisition policy for the future, and we're certainly open to some suggestions from the members on what kinds of things might be appropriate to acquire.

**The Vice-Chair:** Mrs Speakman, if I may, just for a moment, you prefaced your remarks by saying you'd look at Hansard and the hundred and two questions Mrs Sullivan put to you. That's probably a good way of going about this. Certainly in the light of a quorum call, it's okay at this stage. I'm sorry for interrupting you.

**Mrs Speakman:** Okay. There was just one more point that I think was important, on standards. It talked about some of the standards that would be used to judge perhaps an application for a statue or a sculpture or something like that. In fact, we have done a sort of research paper on that with some suggestions as to what those standards could be. It's never been formalized, but the work is there and we could certainly share that with you; it might be a good start to some of the deliberations you might have later.

**The Vice-Chair:** I think probably what we're looking at is trying to tie in all of the remarks that have been made to this point. I certainly would appreciate suggestions from the members in terms of directions that would perhaps draw closure on the discussions we've been having, if it's appropriate at this time.

**Mrs Marland:** I think the status quo has been working very well, and I would be quite happy to leave it that way. If there is a difficult decision that has to be made, then I would ask that it be referred to this committee, which is an all-party and, for the most part, non-partisan committee. I also want to state for the record that I'm in favour of preserving this building with whatever dollars are affordable, and not building a \$500-million new building, in case Hansard is misinterpreted in my previous comments.

**The Vice-Chair:** I think you've explained your position adequately. But I do appreciate the direction you've suggested to the committee, and I think it makes eminent good sense. From the reaction I see around the table, there seems to be universal support for that.

I would like to thank the presenters today: Mrs Speakman, the executive director of the office of Legislative Assembly services, and Karyn Leonard, the director of the interparliamentary and public relations branch. Earlier, I should have mentioned that we were being assisted here today by Lynn Mellor, the clerk of the committee, and Lewis Yeager, the legislative research officer; also, the



Hansard staff who are assisting in the recording of this committee. So thank you very much for appearing before us, and we appreciate your input.

At this stage I believe we're probably in a position to look at where we're going from here. As a result of our discussions earlier, I believe the clerk of the committee is going to make available to all the members of the committee letters from the Speaker to the committee with regard to committee review. She's also going to make available previous reports. She has suggested to me that she could have this ready for us by October 28, which would be the

next meeting of the committee, and it would give us time to review it. Is that agreeable to the committee members?

**Mr Cooper:** Agreed.

**The Vice-Chair:** If at this stage there is no further business, I'd be happy to entertain a motion of adjournment.

**Mr Johnson:** So moved.

**The Vice-Chair:** I want to thank you for your participation.

The committee adjourned at 1646.





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### STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

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**\*Vice-Chair / Vice-Président:** Farnan, Mike (Cambridge ND)

**\*Cooper, Mike** (Kitchener-Wilmot ND)

**\*Johnson, Paul R.** (Prince Edward-Lennox-South Hastings/Prince Edward-Lennox-Hastings-Sud ND)

**\*Marland, Margaret** (Mississauga South/-Sud PC)

Mathysen, Irene (Middlesex ND)

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Mills, Gordon (Durham East/-Est ND)

**\*Morin, Gilles E.** (Carleton East/-Est L)

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**\*Sullivan, Barbara** (Halton Centre L)

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**\*MacKinnon, Ellen** (Lambton ND) for Mrs Mathysen

**\*In attendance / présents**

#### **Also taking part / Autres participants et participantes:**

Mahoney, Steven W. (Mississauga West/-Ouest L)

**Clerk / Greffière:** Mellor, Lynn

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# Official Report of Debates (Hansard)

Wednesday 28 October 1992

# Journal des débats (Hansard)

Mercredi 28 octobre 1992

## Standing committee on the Legislative Assembly

Dress and decorum  
in the House

## Comité permanent de l'Assemblée législative

Habillement et décorum  
en chambre



Chair: Noel Duignan  
Clerk: Lynn Mellor

Président : Noel Duignan  
Greffière : Lynn Mellor

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# LEGISLATIVE ASSEMBLY OF ONTARIO

## STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Wednesday 28 October 1992

The committee met at 1534 in room 151.

### DRESS AND DECORUM IN THE HOUSE

**The Chair (Mr Noel Duignan):** Seeing a quorum present, I call the standing committee on the Legislative Assembly to order. There's one item on the agenda today, and that's the review of the wearing of buttons and members' dress code and members' conduct in the House.

I also understand the clerk will be distributing some information regarding the committee system of the Ontario Legislature.

**Mrs Margaret Marland (Mississauga South):** She has done that.

**The Chair:** Has she done that?

**Mrs Marland:** Yes, we do have copies.

**The Chair:** I also have notice of substitution: Bob Callahan for Carman McClelland and Mike Brown for Barbara Sullivan. We now can begin the discussion.

**Mrs Marland:** Perhaps you could explain to the committee who asked for the matter of the review of wearing of buttons, plus members' dress code, plus members' conduct—who or which organization was the source of referring that to the committee.

**The Chair:** I don't have the copy of the referral right now, but I understand it was a referral from the House, I think from your caucus, on a situation that arose a number of weeks ago in the House regarding wearing buttons. It was during the referendum period. The question of conduct and members' dress code has arisen quite a number of times in the House and is a referral by the Speaker to this committee. Are there speakers to the question at hand?

**Mrs Marland:** I'm happy to lead off this discussion.

**Mr Mike Farnan (Cambridge):** I'm quite comfortable with that. I'm wondering whether we should talk about how we feel or how our caucuses feel or whether, if we're going to do something constructive with this, it make some sense for a subcommittee from the three parties to put something together to bring back and say, "Here are some recommendations so that we can start off by looking at something concrete."

I know it's possible for all of us to make comment about behaviour in the House. The real question is what has to be done. It would appear to me that this meeting could be very effective if we said, "Okay, we'll set up a small committee, provide a working package and then have a full discussion on it." At the moment, we'd be starting off and just going in all directions.

**Mr Gilles E. Morin (Carleton East):** Let me point out, before we start to refer it to a committee, that there are precedents already in existence. I refer to Erskine May, the 21st edition. Let me read to you what it says on page 392 where it talks about members' dress: "Members are not

permitted to wear decorations in the House. The wearing of military insignia or uniform inside the chamber is not in accordance with the long-established custom of the House. The Speaker has also stated that it is the custom for members to wear jackets and ties."

Let me continue. Another reference is to Beauchesne's Parliamentary Rules and Forms, the sixth edition. At page 98, it says the following: "The standing orders of the House are virtually silent on the subject of members' dress. Standing order 17 requires that a member who wishes to speak must rise uncovered." I'm referring to a member talking with a baseball cap on his head yesterday. "While the wearing of hats in the chamber has a respectable historical tradition, Speakers in recent years have frowned on unorthodox headgear. Many Speakers have ruled that male members must wear a jacket, shirt and tie, and on rare occasions, such as Burns Day, have permitted the wearing of a kilt. In general, Speakers have enforced conservative, contemporary standards."

It goes on, also in the same chapter, that the only thing members are permitted to do is to drink water, not to eat peanuts, not to chew gum etc.

So the precedent is already there. What I would suggest is that the Speaker be informed of these regulations that are in existence and also be told that they must be implemented. That's a difficult situation, I agree, but you will recall how during the referendum the credibility and behaviour of politicians was really questioned and frowned upon by the public. The Speaker has told me that he receives, on a regular basis, hundreds of calls on the dress and the behaviour of members of Parliament. I look at my job as my responsibility, and it's part of my job—and I have no choice other than to accept that—to set an example. I have been elected by the public to represent them. I also know that *la portée*, the bearing, the result of my behaviour, will be scrutinized by the public and they will look at me and any of us as a responsible person.

1540

We have to start right now to change the attitude of the public vis-à-vis that. How do we do this? It's by together setting an example. Tell the other members. I know some people will be totally against that idea, I know that, but at the same time, the House should be a place where a decorum is kept. It has always been proven that proper dress goes hand in hand with proper language in the House.

We saw this afternoon what happened. To me, this is not acceptable. Behaviour of the members who would bang their desks and so on I think is totally unruly. On the other hand, if we establish some rules that we all accept to agree on—not only this, that we self-police ourselves—in other words, if we see someone not properly dressed, we tell that individual, "You are not properly dressed." There are no reasons for a member to wear suspenders in the



House, at least uncovered. There is no reason for that. There is no reason for anyone to be without shirt or tie.

This brings me to the question of women. I must say that the behaviour of women is far better than men in the House. I am there to see that. I must say also that women, as a whole, are far more decent as far as dress, and far more respectful of the House than men are. It's so visible.

Therefore, I think we have to get together and re-establish the proper decorum that should exist. Again, how do we do that? This committee is seen as being non-partisan. We have a responsibility, not only vis-à-vis us, but also vis-à-vis the public.

**Mrs Marland:** It's probably a little ironic that we're in here at this time this afternoon, having just had what I considered a most unpleasant afternoon in the House. I think I've risen on a point of privilege maybe on one other occasion in my seven years in the House. I rose this afternoon because I had to express how I felt my privileges had been affected by the behaviour on all sides this afternoon in the House. So this is not a partisan comment.

It's also probably a little ironic that I'm here today wearing one of these demonstration ribbons, buttons or whatever it is that we're talking about, where we're talking about the wearing of buttons. I'm in a position today where I'd like to speak about the issue from a number of perspectives.

First of all, in fairness, to respond to Mr Farnan's suggestion that we refer this to a subcommittee of this committee, I feel this is far too important an issue to give to three members in a subcommittee. I think each and every one of us, as we speak, will probably come from a slightly different perspective on the issue. After we have a discussion today, then I believe we should go back to our individual caucuses and talk about what direction collectively our caucuses would like us to represent as members of this committee, which is responsible for all services to members.

We had an experience last year where some of us on this committee took another matter to our caucuses and then, after the fact, our caucuses said they'd never heard from us. I know, in my particular case, my caucus had heard from me three times on the subject. So I know there's no system of communicating on behalf of a large number of members that's completely watertight.

But I think that when the House deteriorates to the point that it did this afternoon, we all lose. We lose as members holding prestigious elected offices. If our office, as elected members of the Ontario Legislature, is not a prestigious office, then it's because we do not regard it in the way it should be regarded. I think if we're elected to public office, it is a tremendous honour and a tremendous privilege for us as individuals.

**Mr Farnan:** Excuse me, Margaret. I'm wondering if I could ask the Chair, on a point of order, could we make an agreement as to the rotation of speakers or the time for each caucus so that we understand what way the division of time will take place during this committee meeting this afternoon?

**The Chair:** Of course the Chair is always at the disposal of the committee, as Mr Farnan well knows. It's

always been the practice of this committee that every member had a right to speak and we rarely put a rotation system in effect unless we had witnesses coming forward through a hearing. If it's the wish of this committee that we divide the time and rotate between caucuses, the Chair is willing to abide by that, but I'm at the direction of the—

**Mr Farnan:** If, for example, we were to start off with every member having five minutes—there are a lot of members here today with a great deal of interest in this issue—then those members who wish to speak a second time might be able to add more to their comments at that time. Would that be agreeable as a procedure?

**The Chair:** It's agreeable with me if it's agreeable with the other members of the committee. Is it agreeable with the other members of the committee?

**Mrs Marland:** I'm not disagreeable, but I wish you had raised that point when M. Morin was speaking, in fairness.

**Mr Farnan:** I think he probably spoke for less than five minutes.

**Mr Morin:** I didn't speak that long.

**The Chair:** For the sake of the committee, I will simply say, why don't we limit members to five minutes at this particular point in time and let every member get his or her say in first. When that's finished, then if members again wish to make a comment, I will come back to them again. Margaret, you had the floor.

**Mrs Marland:** I'm not very pleased about that. I don't think what I have to say can be said in five minutes. I think what I want to illustrate is that what took place this afternoon is not an atmosphere in which I wish to work. I feel this committee, this Legislative Assembly committee, by its very name and responsibility, owes it to our members in all parties, on all sides of the House, to try to facilitate the function and the operation of the House. Also by its very nature, I believe this committee owes it to the Speaker to facilitate the function and the operation of the House, whoever happens to be in the chair.

Frankly, I think the Speaker's job is becoming an increasingly difficult job. We have two members of this committee who take the chair. Actually I guess we have three members of this committee today present who take the chair.

**The Chair:** I'd also like to point out to the members of the committee that the Speaker of the House is also present with us here today.

**Mrs Marland:** I didn't notice that the Speaker was even here.

**The Chair:** With the indulgence of the committee, maybe the Speaker would like to come forward and set up—

1550

**Mrs Marland:** Now I'm going to have to be careful what I say. I didn't even notice the Speaker had joined us. I'm glad the Speaker is here, but I didn't realize you had joined us, Mr Speaker.

The point is that if we don't try to make the parliamentary system work within the House itself, then as far as I'm



concerned, everything else falls by the wayside, and frankly, the wearing of buttons—I'm wearing this white ribbon because I'm against pornography. It's a personal statement that I'm making. It's Anti-Pornography Week, it so happens. Actually, I don't find the wearing of a ribbon or a button distasteful by members, so I'm not hung up on that issue.

I thought it was ironical that M. Morin mentioned somebody wearing a baseball T-shirt and baseball cap yesterday, because one of his own members wore a baseball shirt yesterday.

**Mr Morin:** I agree.

**Mrs Marland:** Yes. I don't have any difficulty with somebody doing that for the purposes of a member's statement, for example, and then returning to his other clothing. But I do agree that it's inappropriate for people to sit in the House in apparel other than, for a man, a shirt and tie and a jacket, unless we have something go wrong with our air-conditioning and then they have to remove their jackets. I do agree that normally we should try to establish a benchmark of a minimum of jackets for men and suitable attire for women. I find it quite interesting because I too agree that the women in our present Legislature don't seem to have any difficulty with knowing how to dress appropriately, with respect for the chamber and where they are.

Now, setting aside clothing and the wearing of ribbons or buttons, the next subject is members' conduct. That is going to be an impossible thing for us to mandate to any single member in this House. I think the goal of this committee should be to establish what should be acceptable behaviour in the House and convey that to those who take the Speaker's chair and ensure that we support that person in the chair to the utmost of our ability through our communications within our own caucus about what is acceptable and what is totally unacceptable.

I think, if it gets to the point where the Speaker does have to start naming people because they have stepped outside the boundary and the limit that we as a committee have set in the best interests of everyone, that may have to take place for a period of time. But I can assure you that I have, in my seven years here, been appalled with some of the events that have taken place in the last two years, and particularly a complete disregard for the role of the Speaker on all sides of the House. I do not enjoy, and I'm embarrassed by that atmosphere.

**Mr Drummond White (Durham Centre):** We have a very timely discussion today given the events of earlier this afternoon. Frankly, we've had many events like earlier this afternoon. In my recollection, I don't know if it has been as severe, but it's the same tone. I imagine it will continue, and that's my concern.

Just as we degrade the tenure of the assembly, we degrade people's respect for us, for all of us and for the institutions which we have cherished for generations. We've seen that on Monday, where many people in our country have no respect for their elected politicians. Frankly, I think respect has to be earned time and again. It's not something that's bought on election day or earned

on one occasion. No one wins with those battles; we all lose. I find that very deeply disturbing.

The issues that were mentioned here, that are tagged together, in and of themselves do not degrade our system. But on the issue, for example, of buttons, one can say sporting of a pin or a ribbon or a button is no big deal. It only indicates your respect for a particular position, people wearing Yes buttons in support of a tripartite endeavour, in support of our country, people wearing buttons in support of very important significant events such as Ms Marland was referring to. They're all worthwhile. Political, partisan events also are worthwhile, but I think, as Mr Morin has pointed out, that if we look right now at how the behaviour is going, any part of that detracts. It is too difficult to determine when the wearing of a tie, for example, is appropriate. In and of itself, it does not disparage our institutions.

But I think we have to look at the kind of behaviour we've seen. We have to take stock of that and say, "We have to pull back a little bit." If it means for a while that we have to assess what is appropriate, perhaps we should start at a level of nothing is accepted until such time as it has been discussed in our caucuses and forums like this and gradually allow ourselves to let go. But I don't think we can pull back gradually, given the kind of behaviour we've seen. We can't restrain that an iota at a time.

I think those things are connected and I think we have lost a lot of respect. It's continuing to happen. I see that from members of my party and from members of the opposition parties. It's not a partisan issue; it's an issue we are all tarred with.

I would suggest as well that when we are resorting to that kind of behaviour, what we're talking about is a paucity, a lack of thought, a lack of intent to parliamentary debate, to the processes and to the language that we have come to this place to use. When that debate is impoverished, so are our institutions and so is the respect they are due. These issues are a direct result of an impoverishment in public debate that we really need to look at seriously, to reinvigorate with language and with concern. I find it a matter of real concern.

Mr Chair is trying to get me to wind up. I still have a couple of minutes on the clock.

**The Chair:** You must go by a different clock than I do.

**Mr White:** I would suggest that we need to take these issues back to our caucus and that we need to give every individual a fair five minutes to process these issues. They are important, I think, to all of us.

**The Chair:** Before I go to Mr Callahan, I'm very pleased that the Speaker is here observing our debate this afternoon. If it's the wish of the committee, maybe the Speaker can join in the debate as well, or if members of the committee have a question they may wish to ask the Speaker, maybe they can direct it to the Speaker as well. Mr Callahan has the floor.

**Mr Robert V. Callahan (Brampton South):** Let's start off by saying that I think we're all politicians. I think that oft-times clothing, in this place and in other chambers, has been an attempt to make a statement. The same thing with buttons: It's an attempt to make a statement. I think



that the root cause of all this is something far greater than just the question of dress and decorum. I totally agree that if you allow the dress to become that of some other area of endeavour, you obviously bring down the discipline in the House. I believe that. That may sound terribly stuffy, but I can remember distinctly one of my sons, after they brought in those early changes to the educational system where kids could do their own thing and Dr Spock was running around doing that, went out to school one morning with the same T-shirt he'd had on when he went to bed the night before. If you don't do something about that, then, "Sloppy in dress, sloppy in mind."

1600

I want to go to what I think is the real root cause of this, the fact that our legislative system does not provide an opportunity for members, other than those in the cabinet, to really have a say about what the policy for this province will be and to properly represent the people who duly elected them.

I think that's the cause of a lot of the screaming in the House, of some people carrying on. I sat back and thought to myself—I do it too—but I thought to myself, "Nobody even heard that at home," and anybody in the gallery, usually if there were kids, looked down and they thought, "What a wacko he is." You don't realize it, but I think the frustration that's felt by every member of this Legislature in terms of the empowerment that you don't have is at the root of this whole thing.

So what do you do? You take it out in a way that doesn't befit any of us, really. It demeans the whole process, and whether we like it or not—I happen to like it—but I think traditions of the Legislature have come down to us through history, and if they've lasted that long, they must be good and there must be a reason for it. We're to represent the epitome of discipline and order. We're the people who are supposed to be keeping everybody else in order. How can that possibly be, if our decorum and our dress in the House don't meet that standard?

But I want to go back again. As I say, I think the real chestnut the Legislative Assembly is going to have to attack if it wants to solve this problem is the question of how we empower the backbenchers. How do we empower every member of this Legislature to truly and fairly represent the constituents in his or her riding?

You guys and ladies over there are doing exactly the same thing our government did in the main, and I'm sure the Conservative government did, that every time you stand up and vote it looks like you're joined at the hip. Somebody made the comment that the public is upset with us because we're not dressing properly, we're wearing buttons or we're shouting in the Legislature. Let me tell you, if you think that's why the public is mad at us, I at least believe you're mistaken.

I think the reason the public is mad at us is that they don't believe we're actually representing their interests. They look at their member and they see their member voting for casinos when they don't believe in them—that's just an example, that's just one policy—but voting every time. Now surely to God the government can't be right all the time. That's one of the problems when you're in government.

If you're in opposition, the frustration is even greater because you see these people over there, this small group that runs the whole show, and I've said that every day in the Legislature I get a chance to speak. The Premier—and it's the same in Ottawa, the Prime Minister—about four cabinet ministers and about six or eight spin doctors run the whole show.

Surely that creates the frustration that exists in this place, and that frustration is demonstrated by people trying to make a statement with the clothing they wear, the things they say, the buttons they wear, walking out of the House or whatever. They want to get into their local press. They want the people in their riding at least to think, "Hey, he did something today." It must have been terrible in the days of no television, because if you didn't do something outrageous like that, they probably didn't know whether you were still surviving or you'd gone off the planet.

I urge the Legislative Assembly to look very seriously at a reform of this Legislature. Just one of the small things you could do would be to make certain that a bill gets here after first reading and give the power to the committee that reviews the bill to listen to the public, first of all and, when the public has been heard, to incorporate what they've heard by way of amendments from either the opposition, the government or the third party into that bill and then leave the final responsibility of that bill with the minister to determine whether he or she is going to accept that bill in its totality or whether he or she thinks the amendments brought in were stupid.

If you do that, if you give that kind of power to backbenchers and if you take away the desire of those in government and those who are backbenchers who want to get into cabinet, so that don't do anything or they do things that they think are important to their success in getting into cabinet, I think you'll avoid a lot of these problems.

We can talk all we want about tie, shirt, pants—I mean, one of these days I expect to see people walk in there in the buff. It's not you guys who started it and it's not us who started it. I have to say it: Pierre Elliott Trudeau really came into the House with a different type of garb on and I think that set the stage.

What does that mean?

**The Chair:** Wind up.

**Mr Callahan:** Okay. I'm only a visiting member here, but I urge you to look at the root cause. It's not anything to do with the fact that people like to come in in jeans or whatever; it's because they feel so frustrated and they're trying to make a statement. If we don't get at the cancer below it, we can scrape the surface and we're not going to accomplish anything.

**The Chair:** Any other first-time speakers?

**Mr Morin:** Bob, I think you mentioned at the beginning comments that were made. I said that dress is conducive to good debate.

**Mr Callahan:** I agree.

**Mr Morin:** I also said that there were hundreds of calls received by the Speaker complaining about the dress of the members. One must remember that 85% to 90% of our job or the impression that the public has about us is



perception. It's created by perception: How does that person speak in the House? How does that person comport or behave in the House? This is the image, the picture, that remains in the mind of the individual.

Bob, you may have an argument about this, saying "Fine, the backbencher's not given enough rights." I agree with you on that, but first we must start from the base: Behave properly, dress properly.

We're not reinventing the wheel; it's in the book. It's right here, and let me read it again. I'll just quit after that. It's *Beauchesne, Parliamentary Rules and Forms*. It's already in there; all we have to do is apply it. "A jacket and a tie are required to be worn by male members. Turtleneck sweaters are not permitted." This refers to debates of December 10, 1981. "A member wearing a turtleneck sweater has been informed that he will not be permitted to record his vote. Clergy are permitted to wear clerical collars. No member may wear a hat while addressing the House." It's all in there. All we have to do is implement it, and that's what I suggest. When we talk to our caucus, it's already there.

We must police ourselves. I heard that what happens in Ottawa is that it's not the Speaker who will call on the individual to dress properly, but it's the members themselves who will say, "The member for Lambton doesn't wear a tie"—I'm sorry I'm using the member for Lambton—and then immediately it's already cleared. But the Speaker can, if he wishes, not recognize that person because that person does not abide with the rules and regulations established by us.

At least let's give that to the public, the perception that we behave well, that we set an example for young people who come into the House, that our language is not profane, that our language is proper, and that we also respect the dignity. I have as much respect vis-à-vis the member for Cambridge. You're like a flag; you represent your institution, you represent your constituency. I owe you respect and vice-versa, and I should treat you accordingly. We all know that, but we have to implement it.

**The Chair:** Mr Brown, did you have anything?

**Mr Michael A. Brown (Algoma-Manitoulin):** Just briefly, Mr Chair. I'm concerned with the issue. I believe, as Bob was talking about, it's part of a larger issue, but I don't think we can address that in this forum. I think we have to talk about the decorum of our particular place. Saying that, I think it's important that we recognize that this is a political place and members do make statements by their very dress.

It could be that someone comes to the House wearing a turtleneck because he wants to be seen as a man of the people and not a stuffed-shirt, downtown Toronto lawyer, or whatever. They do that for a reason, and a political reason, a theatrical reason.

I'm not very sure that any rule of the Speaker or any group of us will be able to enforce that very well, because the first time our Speaker, Mr Warner, doesn't recognize a member with a turtleneck, that's probably why he wore it. It is probably the reason the member chose to do whatever the member chose to do. You don't have to get yourself

thrown out of the House, you don't have to do anything really dramatic, but you can make a statement that you were there that day. I think we have to recognize the realities of the place.

1610

It strikes me that from the time of the earliest British parliaments we probably had committees like this worrying about decorum, worrying about what people might say, what people might shout, what people might wear. At the end of the day, we all are answerable to our own electorate. My own personal feeling is that I've never appeared in the House dressed in anything else than a shirt and tie. I think that probably is the image I want to portray to my electorate, but that may not be what somebody else wants to portray, and I'm not sure we can do what this committee's being asked to do.

As a committee chair, like yourself, I get more disturbed at a committee room like this, when members come in wearing sports shirts and are really quite casual—after all, it is July or August or whatever—and the presenters from around the province sometimes wonder what group of bumpkins we really are that they've come to see. I would like to see that changed, but I'm not so sure that people are going to do it, and I'm not so sure that we can enforce it, because I think sometimes that's the reason they've done it.

I've been here, as some members on the opposite side have, through the famous all-night sittings, and I'll tell you, at 3:30 or 4 o'clock in the morning in there, the standard of dress has fallen completely apart.

**Mr Callahan:** So has the conduct.

**Mr Brown:** Yes, usually. I guess I don't know how we enforce common sense; I don't know how we enforce decency. I think we have to rely tremendously on the Speaker's judgement in terms of this being a human place. Yes, we behave badly sometimes, and often we don't do things the way they're supposed to be done, but this is about people; this isn't a high court. It's supposed to have some informality; it's supposed to be the forum of the people.

So while I support a dress code, if Mr Warner starts throwing out the first guy who wears sandals in there, I'll tell you, there will be sandals in there the next day just because he knows that Mr Warner's going to toss him. I believe the decorum of the place relies on decency and on good personal deportment, but I don't know how, as a body, we can enforce that.

**The Chair:** Mr Farnan, then Mr Arnott.

**Mr Farnan:** First of all, it's my belief that, by and large, most members are serious about their job. I think people research their work, they're dedicated. I think they're committed to representing their riding and they want to ensure that their riding gets a fair deal. Overall, I have great respect for members on all sides of the House.

On occasion, the assembly itself can range from comedy and farce, on the one hand, to reasoned debate and even moments of high drama as we discuss important issues, so it is not all bad. There is very substantive debate that takes place in the House and there is a very good exchange on many occasions between members and ministers, but there



are times when the House loses that decorum and in the process, I believe, loses some respect.

We have to look at some realities. There is partisan politics that we are all part of; we are members of political parties. There is the whole drama of the House and there are the theatrics that other members have spoken to. There is the urge to get the media hit, to get that media attention almost at any cost, even to reduce the demeanour and the standards of behaviour within the House. There's the frustration of opposition or the frustration of backbench government members that's all there, but I believe we're all parliamentarians.

I believe that essentially what we're talking about here is respect for our constituents. If I come here from Cambridge, my constituents in Cambridge expect me to behave as a gentleman, to behave honourably. I think we ought to have respect for each other.

I heard a senior member of the House today talk to the Premier and never address him by "Premier." It was "he" and "his," and that is sad, that the Premier of the province would be addressed in such a way. You know, partisan politics be damned; there is no room for that. We must respect the offices of individuals.

We must have respect for each other and we must have respect for parliamentary procedure. I believe the book has been written. I don't believe it can be imposed simply by the Speaker. I would compliment the Speaker for the fine job and the patience and the encouragement that you, David, give to all members of the House throughout your tenure as our Speaker. I would say the same for your Deputy Speakers and the Chairman of the whole House. The standards in the chair are superb, in my view.

What's missing is the support of the members themselves for the Chair, not just as individuals but as caucuses. I think our whips and our House leaders and our caucuses as a whole have to get the message out that if you are going to act in an ungentlemanly or an unparliamentary manner, then you're acting in a manner that is unworthy of the Conservative caucus or the Liberal caucus or the government caucus. We have to impose that kind of discipline on ourselves.

We owe it to the people of Ontario. There is no doubt that there is some degree of cynicism, there is some degree of devaluation of the political coinage, and we can do much as individuals and as a Parliament to regain that respect if we respect each other, respect parliamentary procedures and respect the wishes of our constituents in the manner in which they demand we act.

I don't think we have to work on this issue in terms of coming up with a lot of suggestions to the Speaker. I think those suggestions are in the book. I think the Speaker tries to explain them to us and encourages us to follow them. What is required is the will, individually and collectively, to give the Speaker and his deputies that respect and support.

**Mr Ted Arnott (Wellington):** I'm pleased to be here this afternoon. I'm not normally a member of the Legislative Assembly committee, but I'm certainly pleased to be here.

I'd like to say that I support and endorse everything Mr Morin has said. Where I have a question is, how do we enforce these rules that we try to put to ourselves? If we look around this room, the worst offenders in the House may or may not be here. It's a difficult mechanism to try to enforce when the collective will may be here but in the chamber may not.

I've been guilty of interjections. From time to time I get upset, and I've worn a T-shirt in the Legislature and I've sung the Blue Jays song in the Legislature. So I'm an offender as well.

But today was the third day I had a question that was very, very important to me scheduled and I didn't get to place it and didn't get to do a petition because there was no time, and we know why there was no time for that sort of thing. I'm not able to do my job because of what's happening.

I think we all have to look at ourselves and look at how we can respond to it. There must be some ways we can in some measurable way improve what's happening, but it's going to be very difficult and it's going to require personal restraint on all of our parts. That's about all I have to say.

**Mrs Marland:** I think if the Speaker felt like making some comments, I would like to hear it from his purview, or we've heard from one Deputy Speaker and we have another Deputy Speaker here. I've only been in the chair once, and I thoroughly enjoyed it. I was there for four hours, there were no problems, it was a nice, peaceful—

**Mr Callahan:** It was midnight to 8, though.

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**Mrs Marland:** But it was after routine proceedings. I think that's what it's all about.

Personally, I think that all the things that bother all of us in this room, the yelling, the screaming and the interjections and so forth, aren't things we can do anything about, if the members who do them elect and choose to do them at that time. But there is something that I think our committee can do, and that is, it can decide whether or not the Speaker should start enforcing his power of ejection.

I think when the Speaker stands—if there are a whole lot of interjections and unhappiness on both sides of the House because questions are being asked and, in the view of the people asking them, perhaps the answers aren't being given or maybe statements—whatever the role is, it doesn't matter; the roles are played out on both sides of the floor.

I think this particular Speaker has tried, knowing that the issues are difficult, and the times are difficult. This past year has been the most difficult time in terms of what's happening to my constituents in all of the seven years I've been here. These are tough times. We come into the chamber, if we are sincere, committed representatives, and don't leave our stuff in the riding. I don't even leave it in the car. I carry it with me all the time, because I'm concerned about those people who are looking for my help and my assistance.

When I come into the House, and I'm now going to ask a question—and I think Mr Arnott has said it perfectly; he had a question today, I had a question that never got on yesterday—it does interfere with our ability to do our job on behalf of our individual constituents. There has to be a



point at which somebody takes control so that we can stop what is taking place. The only person who can take control is the Speaker, and if, when the Speaker stands, the catcalling and the interjections and all that stuff continues, then the Speaker has to start naming those people. If he has to name seven or eight people the first day, then as far as I'm concerned, so be it.

But I do not want to be part of the mayhem that we had today in the chamber. I'm quite sure, unless we're trying to make a particular demonstration, which I haven't chosen to do, that most of us would be mortified to be named by the Speaker and have to leave the chamber.

There are times when the frustration of some individuals has reached the point where they feel so strongly about what they're doing and what they're saying that they're willing to forfeit their seat for the afternoon. That's their choice, but they've got to realize that's the risk they take. When they take that risk and when they make that step, that one move over the threshold of what is acceptable behaviour in the chamber, then they take the consequences. It's like all of us. We make decisions every day of our lives to which there are consequences. It's up to us to weigh whether the consequences are worth it.

I think what we say to our Speakers, to all of them—and I recognize that the Speaker has the most difficult time, because he does have question period. We've had some pretty cantankerous times in debate, 5:30, quarter to 6 in the afternoon. It hasn't all fallen on the Speaker; it has fallen on some of our deputies too. As soon as the Speaker stands, if it doesn't stop, then he starts naming, one by one, anyone who is continuing. In fairness, he won't be able to wait until the member for so-and-so is named and has to leave; he's going to have to name all of them.

**Mr Farnan:** Could I ask a point of clarification, Margaret? Are you speaking now on behalf of your caucus, that your caucus is saying that it wants people named, or is this a personal view?

**Mrs Marland:** No, I'm not speaking on behalf—

**Mr Callahan:** You're not putting a hook in there, are you, Mike?

**Mrs Marland:** Mike, I am not speaking on behalf of my caucus, but my caucus approved my being a member of this committee.

**Mr Farnan:** Yes, so it's a personal view.

**Mrs Marland:** As I'm sitting here right now, it's a personal viewpoint, but it's also a personal viewpoint of whether I wish to behave badly in the House. I'm simply saying that we all talk about how embarrassing it is when there are students and the public up in the gallery and they look down at this juvenile, imbecile behaviour and they can't believe that's how we do business.

I heard somebody tell us, one of the times when this committee was at another Legislature, that the Ontario Queen's Park Legislature is the second-worst House in the country. What a wonderful reputation. I didn't even bother asking who was first.

**Mr Callahan:** We have to try harder, I guess.

**Mrs Marland:** I didn't ask who was first because I was embarrassed to know that we were the second-worst-behaved House, and I think the only way it will change is if the Speaker uses the authority that he has today, and that is to name members. As I say, the first couple of days he may have to name two or three very quickly on all sides of the House.

**The Chair:** Margaret—

**Mrs Marland:** Mr Chairman, I'm sorry. This is a very serious matter to me.

**The Chair:** I quite agree.

**Mrs Marland:** He may have to name several people all at once in order to execute the remedy and—

**The Chair:** Margaret, I agree with you.

**Mrs Marland:** I support the remedy.

**The Chair:** Thank you, Margaret. While I agree it's a very important topic we're talking about, I want to make sure that every member gets a say. We've still got an hour and a half, and we can go back to you again. Mr Callahan, then Mr White, and then Mr Farnan.

**Mr Callahan:** Well, I think we just established proof, Margaret, that it can't be done, because the Chairman of the committee tried to interfere when you were going over it. I don't say that in any pejorative fashion; I'm just giving that as an example.

Just having been invited here, I agree with Gilles about the question of decorum and dress and all the rest of it. That certainly has an impact on how we act. And I find it interesting that just because this is not on the agenda, this reform of how we do things here, that we can talk about, scratch the surface on, what is really not the problem. I strongly suggest to you that the problem is deeper. The problem is frustration. It's a frustration that I felt as a member of the government and I'm sure you feel as a member of the government. I'm sure the Tories felt it as members of the government. It's equally there in opposition—even more so.

So if you try to say—I know, Gilles, that you're saying the issue is dress code, decorum, but it is conduct. And conduct is not something that you're going to be able to resolve in terms of the Speaker unless you give him an M1 rifle, because it just isn't going to happen.

My view has always been that if you have a problem, you don't try to answer it on the surface; you try to go below it. I think the Legislative Assembly—I was just looking at some of these things you're doing about committees and so on. I think that we have to recognize in this place that whether you're in government, opposition or the third party, we do have a responsibility to our electorate, and we have to move rather quickly because politicians today—it doesn't take a rocket scientist to realize that we're probably running about a good third behind the oldest profession in the world. If we continue to do that, we're going to find that we're going to become like the dinosaurs: We'll disappear. This is how democracy is lost: It's by people losing interest and belief and trust in their politicians.

I strongly suggest to you—and if you do it, I'd love to get on the committee—that there has to be a very significant



approach taken by this committee, which has the power, I suggest, to do it, to bring a report into the House saying that in some fashion you're going to empower all the members of this Legislature.

I always find it strange—when I drive down here in the morning, I think to myself that I'm going down to carry out my democratic function. Well, this place isn't a democracy; the place is a bloody oligarchy. It's run by about nine people. You can go home to your people in your riding and say, "Hey, you know, I was down at Queen's Park today and we got involved in all these important issues," but you haven't done anything about it.

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I don't say that because it's the NDP government. I don't say it to make you people feel I'm holier than thou. I'm just saying that's the reality of the day and that unless we start changing this whole process, what's the point? What are we? We're nothing better than glorified ombudsmen. We can do great things in our riding. We are the person who gets things done in the riding, but when you come down here you don't mean anything. You really don't; if you think about it, you don't. I sometimes wonder if, God forbid, I didn't reach the park whether I'd even be missed. My vote would be missed, but what else?

I really think that's the issue. I know this is a limited issue, but I think we're just spinning our wheels here, just wasting our time talking about how we're going to get the Speaker to enforce all this.

Margaret says throw out the first eight people, name them and throw them out of the House. What does that accomplish? So they go home for the day, they get home early, they get to be an Ombudsman in their riding a little earlier. They haven't accomplished anything in the House, and the public will look at it and say: "My God, we're paying for that? The Speaker is throwing all these people out of the House." And I think it'll get worse: After you throw the first eight out and they get the headlines the next morning in the paper, you'll have 13 the following day.

I strongly urge you to look at the real root cause of this whole thing, and I think it should be done in a very non-partisan way. I know a lot of these committees don't work on that basis, but I think it should be done in a non-partisan way.

The Chairman is now signalling me to shut up. He doesn't have an M1, so I can keep talking if I want. I could take off my shirt, tie, pants and everything else if I wanted to.

**The Chair:** I notice the Speaker wants to reply.

**Hon David Warner (Speaker):** First of all, I appreciate the opportunity to be here. I won't take much of your time, because I realize the committee members have to wrestle with this themselves and perhaps back in their caucuses. I would just like to share a few observations.

Before starting I might comment, Bob, from your earlier remarks, that we're all visitors, some longer than others, but we're all visitors. In fact, commenting on visitors, we have a special visitor who is with us for a little while and observing this. As you may know, we've been able to establish a working relationship with our neighbouring states. The executive director of the Midwestern Legislative Conference is Ilene

Grossman. Ilene is here with us today and she's most welcome. She has a non-partisan role to play and she will be with us for a couple of weeks observing our system and taking back with her some ideas. We're hoping that she doesn't take back all of the ideas on all of the things she has seen.

I want to also say, before going on, that someone remarked earlier about the contribution of the occupants of the chair. They've been absolutely fantastic, Noble and Gilles in particular. Of course from the government side there have been three people: Mike and Karen Haslam have occupied that role and Dennis Drainville is currently occupying that role.

One of the most positive things I've seen in all the years I've been involved in politics is the involvement of the four people. Noble, Gilles, Dennis and I work as a team in a very non-partisan approach to trying to run the assembly. The words of praise aren't strong enough to say how deeply I appreciate the way in which Noble, Gilles and Dennis approach their job. It is with the utmost of respect to the best traditions of Parliament. They're a great credit to their parties, to their caucuses, indeed to the public, and an absolute delight to work with.

One of the things we tried to establish—and I think we have—is a uniformity of approach to the chair. In other words, it doesn't matter who the occupant is, the same kind of decision is going to be reached. Indeed, Margaret, you did a great job that evening you were in the chair. You did too good a job. We were afraid that one of us would lose our job if you came back and occupied the chair more often.

I'd like members to think for a moment of a chamber where, although there's a one-hour question period, the moment there are no more important questions to be placed, you stop questions, even if it's just after a half-hour; and a chamber where, during debate, the common practice is to not repeat anything which was said previously, to not have interventions, to not heckle and to not show any disrespect whatsoever.

That's not a dream world, that's in the Northwest Territories. That's their chamber and that's how they function and that's their practice. Admittedly, it's a smaller chamber, 24 members, but that's their practice and it's really quite something to watch. It's an interesting practice to not repeat anything.

I think there are a lot of reasons for the situation in which we now find ourselves in terms of the decorum in the House, and I'll just share them with you candidly. I don't have a lot of scientific basis for this, just my observation from my first term, 1975, to now and what I understand took place before then. There's a number of significant changes that have happened.

Number one, for a long period of time there was a very small turnover in the House. Successive Parliaments had a very small turnover. In the last 10 years we have seen huge turnovers, within a 10-year span three different governments, and in each case a large turnover of members. You lose continuity; you lose a certain stability. You do not have the opportunity—if you're a brand-new member and you sit and on either side of you are rookies as well, who do you turn to for advice about the practice, the procedure, what's expected? You don't have anyone to turn to.



I'm not sure if it's valid or not, but when you go back, certainly in the 1950s and 1960s and up until 1975, to a large extent, this position was a part-time job. The House didn't sit very often. It sat perhaps a total of three months in the year. This is a full-time job, and with it comes a greater commitment. The members today work exceedingly hard. They are totally, completely involved. You know that from your work. I know it from watching the members, from all sides. They dive into their work like someone jumps into the deep end of a pool. They get wrapped up in the issues and they bring those issues here.

Add the ingredient of television. I suspect that Parliament in the very old days, when they had really tough issues, wasn't much different than what we experience, but now everybody else can see it. We have a daily viewing audience of 400,000 people. These folks see what happens. Many of the same things happened 20, 30, 40 years ago, but nobody saw it.

I'll wrap it up with a couple of comments. When I came in here, there was a standing rule that gentlemen may not wear hats. We've removed that from the standing orders. You've got to wrestle, I think, with two parts in terms of the standing orders, or perhaps three.

One, the whole notion of protest: When somebody wears a button or wears a sweater that has something to do with an issue, it's a protest. Is that appropriate? If it isn't appropriate, it has to go in the standing orders, because otherwise there's no way for the Speaker to enforce it.

Dress code? Same way. There is no dress code. If you want a dress code, you have to put it in the standing orders. Otherwise you can't enforce it.

If you want to name members, to be honest, my first response is like Bob's, and actually what Mike mentioned earlier. If somebody wears sandals and they get tossed out for it, the next day you're going to see 20 more pairs of sandals.

**Mr Callahan:** It will improve the sandal business.

**Hon Mr Warner:** It will be great for the sandal business.

I think there's an ingredient missing, and the person I remember who was most vociferous about this in the past was Bob Nixon. Bob used to say, "If a member has done something so bad as to be named by the Speaker, that member should have to apologize to the House the next day before resuming his or her seat." I really agree with that, but I don't have the luxury of making that ruling. That needs to be in the standing orders. I would be more than delighted to see that because I think that would help to curb the excesses. If somebody is named, the next day he or she appears on the floor of the House, at the bar, and apologizes to the House—not to me, not to the Speaker, to the House.

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**Mrs Marland:** Do they do that in some Houses?

**Hon Mr Warner:** I'm not sure, to tell you the truth. I believe they do. But you'd have to put it in the standing orders, otherwise you can't make it effective. Lastly, I'll do everything I can to do my part to improve the atmosphere

to have a better sense of decorum in the House. I think the best discipline is self-discipline.

**Mrs Marland:** Naming members, Mr Speaker: When you stand and the House does not respect the fact that the Speaker is standing, that's the part I'm talking about. Do you think it would be difficult for you to name members?

**Hon Mr Warner:** May I have a moment to respond? If there are a lot of members all yelling, screaming, pounding the desk, throwing things or whatever, and I name you, you and you, after it's all calmed down there'll be a point of order that says: "Why did you pick that member? The one behind him or beside him was equally as bad. What you're doing is simply taking away free speech. You picked on a member and you have no right to pick on a member. All members are to be treated equally."

That's why I hesitate. Once you start down that path there's no end to it, it just gets worse and worse. It's much easier, actually, to identify one individual who happens to be the source of the problem. If, for example, you've got a great melee and you wait until it subsides, and one individual carries on after being warned, say that individual is named. But starting to name them wholesale I think would be counterproductive. I suspect, in the long run, if the caucuses find a way to encourage self-discipline, that will be the ticket; that's what will work.

It's my own observation and I leave it for the members, obviously, to wrestle with this tough problem of buttons and all the other—my only caution about it is that no matter what you talk about, no matter what your report is, unless there's a way to change the standing orders, you're not going to have the positive effect you're looking for.

I realize that every member on this committee feels strongly about a good sense of decorum, about being properly dressed. I get the phone calls. People are watching, they see somebody in a sweater and they phone my office. I have to tell them there's no dress code and to maybe phone the member, the caucus or something, but it doesn't do any good to phone me.

Bob's right in a certain sense, and I think this committee is going to tackle the question of the power of committees, the structure of committees, what kind of useful purpose they should be serving within the parliamentary context. If done properly, I think that could give every member, regardless of which party you're in—first, second or third place—give more members a sense of fulfilling a useful and productive role. If the committee system was strengthened—I understand you're going to be tackling that perhaps in the off-season. That's a great venture, because in my humble opinion, we really need some very basic reform to our committee structure, and your committee is the right group to—after all, this is the cream of the crop from our assembly; otherwise, they wouldn't be on the leg assembly committee. I know that.

**The Chair:** Thank you, Mr Speaker. There's an order of speakers: Mr White, Mr Farnan, Mr Callahan. Very quickly, Mr Callahan.

**Mr Callahan:** Speaker, is it not correct that in the Northwest Territories they have a rather unusual setup?



They elect their Premier and they elect the cabinet ministers, and if they don't like them, they re-elect them.

**Hon Mr Warner:** You're partly right. They choose from among themselves who the cabinet will be, and the cabinet then selects who the leader will be. It's not so much a matter of not liking, but more a sense of sharing. You're the cabinet minister for a while, and then later on Margaret will be the cabinet minister for a while and so on. It's more of a sense of the opportunity and sharing it around, rather than saying, "We don't like what you're doing."

**Mr Callahan:** I wonder if that perhaps proves the point that the reason that works so well without rancour and all the rest is that you don't have the things that I'm suggesting occur in the type of Legislature we have.

**Hon Mr Warner:** Absolutely, plus numbers; obviously, 24 members are a little easier to manage.

**Mr Callahan:** And if we have 400,000 viewers, perhaps we could be advertising and reduce the deficit.

**The Chair:** Mr Callahan, we do have a rotation of speakers, and you're third on the rotation. It's Mr White, Mr Farnan and you.

**Mr White:** I'd like to thank the Speaker for his very wise comments. I'd also like to agree with Mr Callahan in terms of his concerns about the issues, about the frustrations, the powerlessness we feel, but we have to also look at what we can do. If we simply said, "We are powerless in this situation," and threw up our hands, we'd become even more powerless.

Yes, we have a situation that is very difficult for us, but I don't think we should either throw up our hands or suggest that Mr Speaker is entirely responsible for all decorum. Instead, we need to look at, what is the range of things we can do? There are major issues that confront us, major global issues, communications in the post-modern era. We can go into those things in great detail, the minimalization of self and all those things that are fascinating to explore but I'm not sure would empower us at the moment or allow us to deal with the problems we have.

Right now, today, we're faced with a major question around the rule of law, which is, after all, what this assembly is about. There was a suggestion, for example, of recognition of people: If people's deportment was severely out of line, perhaps Mr Speaker wouldn't recognize them. That's a possibility. Also, I think we can do things as a caucus, like suggesting that those people not be recognized among our own caucuses. We can reinforce each other.

Also, Mr Speaker has mentioned the issue of the standing orders. Obviously, one of the things we could suggest is a reform of the standing orders, because in doing so, it would clarify, it would empower the Speaker to act where appropriate, and not to be cutting off people's right to speak.

I suggest that as a committee we should look at some of the things we need to do on a short-term basis, which is bring some of these concerns back to our caucuses, making some concrete short-term suggestions, but also some midterm or longer-term things. I don't think we should simply say it can be easily solved, because I don't think that's true. We need to do some things immediately, but we also need to look at some solutions such as have been

discussed, which would take more time to work through, and then also to have perhaps some sort of review.

Right now, we have a situation where the people whom we trust to make laws, whom we respect, are not acting in a respectful way. Those people we expect to enforce laws are not. The simple rule of law is being questioned, and this is not a time for us to throw up our hands and say there's nothing we can do.

I respect very much Mr Speaker's suggestions and his temperance, something which I don't think I would be able to manage in his situation.

**Mr Callahan:** You're not temperate, are you?

**Hon Mr Warner:** Just tempered.

**Mr Farnan:** I'd like to make a couple of comments in response to some of Mr Callahan's statements. I don't share, Bob, some of what I perceived as a negativism or a hopelessness of our situation. You talked about the difficulty of involvement. I agree that in fact there are difficulties, but I would present them as challenges. When your party was in government or in opposition—and our party has shared the same fate; we've been in opposition and government—how did you work involvement?

I know that within our government there are very strong measures within our caucus to involve caucus members. We recognize we have deficiencies in terms of that involvement, but we are certainly working as creatively as we can to have that kind of involvement for all of our members so that we can participate as fully as possible in the decision-making process.

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In every organization, there are different players with different roles. It's not just politics. If you're a front-line teacher or a front-line police officer, decisions are made for you, and there are different roles to be played. I think it's the same within a political party within a legislative assembly. There are those who have more important decision-making powers, but there are areas where we can be involved in that process.

As well, I would like to point out that many legislators from other jurisdictions come and visit our assembly and they are extremely impressed. They don't have a question period, and they say: "My goodness, isn't this fantastic? I just wish we had this kind of question period back in our state." Many of our American visitors comment on the positiveness of our question period, of being able to challenge ministers of the crown on a daily basis on substantive issues.

We can ask questions. They can occasionally be emotionally expressed. Sometimes members cross the boundary of acceptance, but they can be reined in if it means that a member has to be disciplined. It's not that often that a member crosses that boundary. There may be some unacceptable behaviours that can be improved, but that boundary where an individual is tossed out of the House happens very seldom and indeed usually in the heat of the moment of vigorous debate.

I think we've got a lot to be proud of. I do believe we have to take this back to our caucuses. I hope we all share the same views.



**Mrs Marland:** Mike, would you just excuse me for one second?

**The Chair:** A point of order?

**Mrs Marland:** I did allow you to interrupt me a moment ago.

**Mr Farnan:** I don't feel it's an interruption, Margaret. Please put your point on the floor.

**Mrs Marland:** I'm sorry I have to leave the committee at this point to go and chair the estimates committee. I apologize to the members for having to leave.

I think probably there will be a consensus of a direction that we can take that the Chairman is going to suggest to the committee, and I just want to say I support the Chairman's suggestion. I think he will perhaps summarize at the end of the meeting. Thank you for letting me interrupt you.

**Mr Farnan:** Not a problem. I will conclude then and simply state, as I did earlier on, that discipline is self-imposed, but it can be strengthened by the collectivity of our caucuses. I think if our caucuses, our House leaders and our whips, with a collective wisdom of our caucuses, say, "These are the kinds of behaviour we expect from you as a Liberal," or as a Conservative or as a New Democrat, that could go a long way to improving the overall demeanour in the House.

**Mr Callahan:** Michael, I hear what you're saying, and I'd like to inquire, how many members have you got in your caucus?

**Mr Farnan:** We've got 74.

**Mr Callahan:** You've got 74, and you're in that room on the second floor. Do you get to speak to the policy before it becomes a bill, or is the bill brought in or an announcement made by the minister and you get to talk about it and decide whether you want to do it or not?

**Mr Farnan:** Let me say that we struggled with process. It took some time and there were some concerns within our caucus, but there has been a very creative approach taken that allows members to deal with issues as the process of decision-making goes from beginning to end. I think we haven't perfected that, and I'm only speaking on behalf of myself at this moment, but I think we've made huge strides in terms of the involvement of our caucus in very substantive policy issues. Particularly, the caucus involvement in terms of the government is that we try to focus this on the major issues, so that on the substantive issues that will be presented on the part of the government, there has been thorough debate within the entire caucus.

**Mr Callahan:** I accept what you say, but I have to say that unless you sit in caucus from 9 till 9 on Tuesdays, or whatever day you sit, you're in the same conundrum.

I also have to say something that's just struck me after almost seven or eight years in this place. The reason I enjoyed committees so much was that you did get to advance ideas and kick ideas around, I think for the betterment of our constituents. You don't get that opportunity. Regardless of how you've refined your caucus approach, you don't get that opportunity to do it. In fact, I find it more delightful in committees where you can discuss them without—with all due respect to you as a fellow Irishman,

saying that question period is such a benefit because you get a chance to challenge the minister is hogwash, and you know it is.

**Mr Farnan:** That's a reality.

**Mr Callahan:** Sure it is. Most times you don't even get an answer. It's pure theatrics, and in fact it's just an opportunity for each one of us to play against the other one and try to score political points and get the headlines and so on. It doesn't advance one whit the security or the well-being of this province.

**Mr Farnan:** I would have to disagree with you, because there are very fine members of the opposition, and I can go through them and name them, who ask very well researched questions and ministers who give very knowledgeable, balanced answers. It's a difference of opinion.

**The Chair:** I would appreciate the members addressing the Chair.

**Mr Callahan:** Okay. I don't necessarily want to debate this, but the reason I raised that is the fact that for some reason, even in places such as this, the Legislative Assembly committee, where I would think we would be looking to fine-tune the way this place works so that we would get the biggest bang for the buck for our constituents, we're still playing politics in here. I'm sorry, Mike; when you talk about question period, that's what you're doing, because it's a crock.

You say police officers have to toe the line because there's got to be somebody in control. Well, I have to tell you that we as members of the Legislature—

**Mr Farnan:** On a point of privilege: One cannot totally discount all the questions from very fine members of your own party and very fine members of the Conservative Party who research their questions. Now, there are times when question period is less than acceptable, but believe me, if you as a member want to promote the idea that that's all it is, then it's no wonder politicians are held in poor—

**The Chair:** Mr Farnan, excuse me. It's not a point of privilege. It may be a point of information.

**Mr Callahan:** I just heard my friend who left here say we're spinning our wheels. I agree that we're spinning our wheels, because we're looking at it from the standpoint, or should be looking at it from the standpoint, of sharing our views on a totally non-partisan basis in terms of how we improve the decorum, the code of conduct and the effectiveness in the House.

I don't know if anybody agrees with me. I've told you what I think the root cause is, but I still think that when we're doing this, we should be doing it in a fashion that's not pejorative, that we're not looking to advance something as what it's not.

In any event, I have to say to you with regard to the question Mr Farnan raised about the police officer having to subject himself to the hierarchy of authority, I don't view myself that way, thank you. I don't think any member should view himself or herself that way. I was elected by the people in my riding. The Premier of this province or the ministers of this province, even if I was in the government, are not the



people who elected me. There should not be that hierarchy. There should be a community of spirit—what's the word I'm looking for—a collectivity, where we are working for the betterment of Ontario, where we're not simply coming up with wackamamy policies simply because they're sexy to the public to get us re-elected.

We should be looking at it in terms of what's good for this province, what this province needs, and we're not doing that. I think that's the frustration I feel. I think if anybody over there really thought about it, which maybe they have, and admitted to themselves, they'd say that's exactly what the frustration is. That causes the conduct.

If I walked into the Legislature with a purple shirt on with elephants running across the front of it, I'd make quite a statement to the people watching on television. They'd say, you know, "That's Callahan, because he's the guy with the purple shirt with the elephants running across it," so I'd continue to wear it.

We've seen members in the House who wear a particular type of garb, and they're looked upon as folk heros. What are we doing to ourselves? Are we going to simply say we'll give the Speaker some way to stop us doing that? I don't think we can do that. I think you really are spinning your wheels; I think Margie's absolutely correct.

**Mr Brown:** I just wanted to say I don't think I share Mr Callahan's view of this place, in that I do believe the institution is important and what happens in the chamber is of vital interest to our community, at least the community I serve. I think that's not really what we're talking about. What we are talking about is wearing buttons, the members' dress code etc.

It seems to me—and I've never been a big fan of wearing any kind of decoration in there, although I have on occasion—that this committee should consider carefully restricting that as much as possible, at least deciding in the rules how we can do that, because sometimes we go in there looking like billboards and I'm not really too happy about that.

There are countless organizations worthy of support from all members. They all have buttons, they have ribbons, they have whatever, and you're the leper in the place if you decide not to wear one. It's not because you don't support that particular group; it's just because you don't think you want to be a billboard. So everybody puts it on just so he's not the odd man out. I think we should have a look at that. Having said that, I look over and I see the Chair wearing his poppy, and then I say, where do you draw the line?

**Mr Morin:** It's a different thing.

**Mr Brown:** Yes, it is. But how do you define that? A dress code should be there. We have it in Beauchesne; it wouldn't be a big problem to put it in the standing orders. Then you have to look at what the remedy is, and that would need some careful consideration by the committee.

**Members' conduct:** I firmly believe that no rules will ever change that particularly. People, caucuses will determine that. While we should look for reasonable remedies, we should understand, as I said before, that this is a human place. It's also a political place. What's appropriate sometimes is not appropriate at other times. At the end of the day, if we do something that is seen by the public to be totally outrageous, at the next election they'll probably remember. On the other hand, if they think what we've done is appropriate, they may remember that too.

So those are the considerations that all of us have. I will quit there.

**The Chair:** This has gone around quite a bit. It's been a very useful debate here by the members on the conduct of members and wearing various expressions in the House. However, this committee, over the course of the next couple of months and after Christmas, will be reviewing some of the standing orders and reviewing the committee structure, as I understand. So would it be appropriate at this time, just going by the Speaker's comments this afternoon, that if you're going to have a dress code or if you're going to do whatever, you've got to change the standing orders to do it, in the meantime that would give us an opportunity to go back to our caucuses and discuss what we've discussed here today. Then when we sit down in the coming months to discuss the issue of standing orders in the committees, we can come back, after having discussed it in our caucuses, with some recommendations from each caucus as to how the standing orders could be changed around this particular subject.

**Mr Morin:** Could you arrange for us to have a copy of what we've been discussing? I personally will distribute to each member and tell them to read this, because there will be some reaction, I know that. At least they'll understand what we've been debating and there will be more participation.

**The Chair:** I will make sure you've got a copy of Hansard from this afternoon and a copy of the proposed schedule of this committee from now through to the recess. Any further discussion?

**Mr Callahan:** I move adjournment.

**The Chair:** There's been a motion of adjournment. Agreement of the committee? The committee stands adjourned until next Wednesday at 3:30.

The committee adjourned at 1705.





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\*In attendance / présents

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## Legislative Assembly of Ontario

Second session, 35th Parliament

## Assemblée législative de l'Ontario

Deuxième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 9 December 1992

# Journal des débats (Hansard)

Mercredi 9 décembre 1992

## Standing committee on the Legislative Assembly

Semiannual review:  
Clerk of the House

Legislative Building renovation

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responsabilités du greffier

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# LEGISLATIVE ASSEMBLY OF ONTARIO

## STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Wednesday 9 December 1992

The committee met at 1539 in room 151.

**The Chair (Mr Noel Duignan):** Seeing a quorum present, I call the meeting of the standing committee on the Legislative Assembly to order.

Today we have three items before the committee. The first item deals with the administration of the House and the provision of services to the members. This is the semiannual review of the services per the standing orders. The second item of business deals with the Legislative Building renovations and restoration program. The third item deals with security and will be held in camera.

### SEMIANNUAL REVIEW: CLERK OF THE HOUSE

**The Chair:** Dealing with the first item of business, changes in the administration of the House and the provision of services to members, I have the great pleasure of welcoming to the committee the Clerk of the House, Claude DesRosiers. Welcome.

**Mr Claude L. DesRosiers (Clerk of the House):** It's always a pleasure to appear before this committee and have a discussion and a dialogue about what's been happening around the building as far as administration is concerned for the last six months and hopefully bring you up to date and answer some of your questions.

I've had distributed, for your information, our latest Status of Items for Discussion in the Management Advisory Committee. This is our agenda. I don't know if you're familiar with it, but it's our agenda that we meet on regularly. I refer to it as a running agenda; I don't know if that's the correct term, but that's the term I utilize.

The way it works, basically, is that members of the committee put those items on and they are discussed at every meeting. Every meeting, as chair, I go down all these items and ask the person whose name appears beside the item to make a report on where that item stands. That is the latest one.

The way this works, really, is that you combine this piece of paper with the minutes of every meeting, because every time an item disappears from this list, it's minuted. Therefore, you get a combination of where the administration is at on all of these items at a given time as a follow-up to every meeting.

I've also passed along a copy of our mission statement, which has been adopted since the last time we met. That mission statement, as you will note, is member-oriented. It goes along with the philosophy we have as an administrative body here; that is, that we are here to serve the members.

I meet, on a regular basis, all the new employees who come in. The human resources branch has devised an orientation day for all of the new employees. I usually kick off that orientation day, and I try to leave them a message of the philosophy that guides us in our work here, basically that all of us have the same job. We could all have the same sentence in our job description, that the staff of the Office of the Assembly are all here to do one thing: to help you do your job.

That's the only reason we're here. That's the only reason there's a Clerk, that's the only reason there are committee clerks, that's the only reason there are employees working in the cafeteria, the only reason there's a Hansard, the only reason there's a controller's branch or a finance branch or a human resources branch or a library research branch. We are all here to help you do your job, and that's the orientation we've given to our mission statement.

We have, as you probably know, a joint health and safety committee that is now operating according to law. It has been involved in three various inspections since last we met. They've done an inspection of Hansard, an inspection of the finance branch and an inspection of the food services area. Their report has been dealt with by the management advisory committee, and the recommendations of the joint health and safety committee have been adopted.

Another field that actually came to fruition in the last six months but has been worked upon for the last two years by the administration here is the production of a Manual of Administration. When I came on board six years ago, I was faced by three huge bricks that people referred to as the Manual of Administration. Actually, these were documents that had been copied directly from the Manual of Administration that was alive and well in the Ontario public service. It was not a useful document for us here because we are not part of the public service and we have a much more direct orientation, a much more direct goal in what we do every day. Therefore, one of the first acts management advisory committee did was to create a committee to sit down and to draft a Manual of Administration. It has come about now. We've all got copies of that draft and we're about to adopt it and publish it.

Hansard operational review has taken place.

We have what some people might refer to as an internal audit person on board. That person reports to the controller. He is not an internal auditor, though. Part of his duties are to, at the direction of management advisory committee, look at certain areas of the administration and to make reports to management advisory committee on certain changes that might take effect for the betterment of that administration. He has very clear direction from management advisory committee in that he is to work with the managers in that field to try to arrive, together with the manager he is asked to review, at various solutions.

The area that has been reviewed since last we talked is Hansard, and to everybody's satisfaction quite a few changes have been brought about in Hansard for a better operation and better production of your document. You will have noticed that a major change in the Hansard field is that it now arrives on our desks the day after. When I arrived here, Hansard was a document that was produced sometimes three days later. Management advisory committee felt that had the unfortunate consequence that Hansard had therefore a lot less use. It was a document that, when you get it on your desk three days



later, doesn't have the same use or the same interest that it has now with it appearing on your desk the following morning.

Another development in administration, which is a minor one, though, is the use of telephone voice mail for certain areas of the administration, although certain areas of the administration where it can be shown to be useful. In certain areas that serve the members directly it is not recommended to use voice mail. Again, it's the philosophy of management advisory committee that service to members should be direct and as swift as possible.

That's about all I have as a statement, Mr Chair, and I'd certainly be happy to answer questions on any items. Mrs Speakman is around here and she can answer questions or make a short presentation, if that's your wish. She can address the renovations and the restoration project now or at your desire.

**The Chair:** Is it the wish of the committee that we go into the presentation from Mrs Speakman on the renovations and then maybe ask questions of both the Clerk and Mrs Speakman on their presentations? Agreed.

#### LEGISLATIVE BUILDING RESTORATION

**The Chair:** I'd like to welcome, from the Office of the Assembly, Barbara Speakman, who is the executive director of assembly services. Welcome.

**Mrs Barbara Speakman:** Good afternoon. I'm pleased, as ever, to come to the committee and answer all of your questions. A number of people in the room have actually been involved either recently or a little further back with the development of the program of renovation and restoration. At the moment, the work that's being undertaken is strictly repair work for the roof, the windows and the stonework in the centre pavilion area.

We started the fencing for that program in February of this year and the scaffolding will be down in January, so less than a year is the total schedule, and we will be down by then. We're very pleased with the progress. About three weeks in all have been lost in the total program, given the weather, the rain over the summer, and the House was sitting a little longer than we had anticipated, which held up some of the attic work and so on. But the construction people have done a tremendous job in sticking to schedule and working in other areas of the project when it was raining and so on.

We also hit one or two problems with health and safety issues which had to be dealt with, and one of them was lead in the mortar. As they were chipping out and taking out the old mortar, every raw material we were disposing of was tested; in that particular case there was lead in the mortar, so we had to stop work and take precautions and make sure that the hazardous waste was disposed of correctly and that the workers working on that particular part of the project were adequately protected and trained in the business of taking that mortar out.

Those things were all handled extremely well. As you see, as the scaffolding starts to come down, I think there's a tremendous difference in the appearance of the building and also in the energy-saving potential, as we've now insulated the roof in the centre attic. We have changed some of the ways in which the guttering or the eavestroughing was put up to prevent ice buildup,

which was one of the main problems with the roof before. So all of those improvements have taken place.

#### 1550

The windows have been repaired and/or replaced, depending on the extent of deterioration. One or two of you may have gone up the scaffold. I know Mr Morin went up, and a few others have seen it. The rose window, for example, was extremely badly damaged and has been repaired and restored. Some of the stonework carvings were extremely badly damaged and water had got in behind them. We had to take extra measures to conserve those.

But all in all, we're very pleased with the progress and we're on target with the schedule and with the budget. I guess the rest is open to questions, whatever you would like to ask.

**Mrs Barbara Sullivan (Halton Centre):** I have a number of questions that I thought might be useful for the entire committee to look at. If we go back, first of all, to the Clerk's discussion of the role of the management advisory committee and some of the decisions which have been made recently to assist members and others in working in this place, could you describe for us how issues are initiated to be placed on the agenda of the management advisory committee, and what the relationship of those issues is to agenda items on the Board of Internal Economy, and how you deal with issues that have been considered by the board at one time that then come back to the management advisory committee at a later time after a decision has been made?

**Mr DesRosiers:** This addresses, I think, the role, then I'll go into a short description of how the management advisory committee operates.

First of all, items get on to the agenda in two different ways. The first way is that items filter up through staff meetings. Each of the four directorates involved in the administration of the Office of the Assembly, which are the library, the office of the Clerk, the controller's office and the executive director of building services office, each have regular meetings as well with their key managers and so on, and items percolate through those meetings. They are either decided at those meetings or, if they need more direction, those items will go to the agenda of the management advisory committee. That is one way in which items appear on the agenda.

The other way items appear on the agenda would be on direction of the board. Oftentimes at a board meeting the board will ask staff to prepare reports and look into different matters, and then that goes on to the agenda of the management advisory committee until we are satisfied that we have dealt with what the board has asked. Then we are ready to send it back to the board to put on the board's agenda for the board to deal with.

Our items on here, once we decide that, take two directions. They either go back for action down from whence they came or they go up, because they need a policy direction from the board, to the board. Then we, as the management advisory committee, would put certain items on the agenda of the board in order to get a direction on a major policy decision from the board.

**Mrs Sullivan:** If we take one of the tiny items on your current list, number 6, political activity for legislative staff, could you tell us where that initiated from, where the idea



came from? Was it in relationship to a pending bill before the House? What stage of discussion are you at? Might that be an appropriate thing to come to a committee such as this one?

**Mr DesRosiers:** That item appeared on our agenda from discussions that had taken place in the controller's area, who has responsibility for human resources. The preoccupation of the human resources people, who keep very close tabs on what's been going on in the Human Resources Secretariat in the Ontario public service brought this to—their concern is that we look at it and respond to it as an issue. It has nothing to do, really, with what's happening in the House; this is our own look.

Because we have a policy on this; it's a very strict one. The policy is that members who work for the Office of the Assembly do not have politics. That is our policy, and everybody who works for us has to submit to that test. We're just looking at our policy again to find out whether we might have problems with that policy in the future.

**Mrs Sullivan:** I think it's the appropriate policy, but somebody else can ask some questions.

**Mr DesRosiers:** But you'll see, if you read down the line there, "will review assembly policy." That's what we're doing. We've asked for and received legal opinion. That legal opinion has not reached our table yet, but it's in the controller's office.

**Mr Gilles E. Morin (Carleton East):** I have two questions to Mrs Speakman. First, I had the pleasure of going right to the bottom of the roof, but I didn't achieve your feat of going to the peak of the roof. I lift my hat, and I think you were quite brave.

**Mr DesRosiers:** I didn't attempt that either.

**Mr Morin:** No? Which leads me to the following question: Were there any major accidents during the repair, during the restoration?

**Mrs Speakman:** No.

**Mr Morin:** None whatsoever?

**Mrs Speakman:** No. The only thing we had were cut fingers, and that's about it. The nurse on site attended to those. No, touch wood and everything else. We've had no major accidents.

**Mr Morin:** That's great. On the plans for a centennial of the building, could you give us a brief idea of what we are to expect to participate in next year?

**Mrs Speakman:** There is a committee which meets fairly regularly, chaired by Christine Lockett from inter-parliamentary and public relations, that has representation from the three caucuses on it. What we tried to do was develop a program that would have little or no cost implications for the assembly, that we could fund from within existing budgets as much as possible.

The kinds of things that have been undertaken: There is a special commemorative book on the building, and I believe a pre-publication offer went out to everybody just last week. That's a magazine type of book: lots of photographs and some text giving a little bit of a history of the people in the building and what the building has stood for over the last 100 years.

A public speaking contest has been developed along with the Royal Canadian Legion. They already have a public

speaking contest, so what they're doing is tying the 100th anniversary theme to their topic for this year and then having the final presentations here in the building. So it's something that was ongoing anyway, but we've managed to build in some celebration of the building to that.

There is also an essay contest with the school children that has been done in conjunction with the Ministry of Education and the school boards. There has been quite a lot of consultation on that, and school children will be writing essays. I'm not quite sure what levels; I haven't got full details here, but the caucus people, I'm sure, can inform you of the age groups.

In terms of the building construction, that is considered to be in its own way a celebration of the centennial of the building, the fact that it is being refurbished.

The only other kinds of things: We have exhibits in our exhibit rooms of the original drawings of Waite, the architect, and some of the artefacts that are in the archives relating to the building 100 years ago. Then all of our tours, our school groups visiting and our educational programs will be geared to the centennial.

In terms of an event itself on or around April 4, that's still under discussion with the caucuses. We have our normal plays at Queen's Park every summer, and those will have a centennial theme. However, I believe there is some question going out to all the caucuses as to whether the members would like to have some sort of ball to celebrate the occasion, and contribute, obviously, to the cost of that ball. Those are the kinds of things that are being undertaken.

1600

**Mr Mike Farnan (Cambridge):** A couple of questions, Barbara. We realize it is something of a courtesy for us to look at the budget, that really it's the Board of Internal Economy that is the major player here. Whereabouts in the process are you in that regard?

**Mrs Speakman:** The budget for the building renovation?

**Mr Farnan:** Yes.

**Mrs Speakman:** Some years ago the board approved in principle \$5 million a year towards the renovation and restoration of the building. For the first two and a half years, very little was spent, as we were in a planning mode and were developing the master plan with the special committee on the parliamentary precinct. Since that time, this is the first year that a large amount of money was required, because we were in construction for the first time. The board has approved this year's funding and is now looking at the three- to five-year horizon to determine just how fast it wants to complete the west wing and the east wing doing exactly the same thing, the repair of the roof, windows and stonework.

**Mr Farnan:** When that decision was made, we were probably not in quite the financial squeeze we are in now. If this same project were coming to the Board of Internal Economy for the first time, I wonder if it would be able to put forward these kinds of dollars. Is there anything within the work that can be delayed beyond the five-year period that could spread the cost? As far as the taxpayers are concerned, these are big dollars; I mean, for all of us. Are there items in here that you would recommend extending?

**Mrs Speakman:** We have approval at this point from the board to do only essential repairs to the building, only items



that relate to occupational health and safety and only other items related to that which are economical to do in conjunction with the repair work. For example, while we have scaffolding up, there is no sense in not putting in platforms in the attic for future mechanical equipment. There is no point in taking all the scaffolding down and then going in later to do that again.

So the board has agreed that, using those parameters—essential repair, occupational health and safety issues and essential work related to the work that's already undertaken—we should provide it with a program for that. At this point, that is all the board is looking at. All other programs related to the renovation and restoration of the building in terms of the interior, in terms of actually putting in place mechanical systems or ventilation systems and so on, would be considered deferrals for some future date when there was money. So we're only talking about essential repairs at this point.

**Mr Farnan:** Is there anything you can share with the committee with regard to budgetary accountability processes that help to ensure that the work is completed on time and within the money targets? So often the public gets the impression that it's going to cost X million dollars, and lo and behold, a year later or two years later it's twice that amount. What are the triggers you have that can keep that under control?

**Mrs Speakman:** The first thing, of course, is that we have an estimate, which was fairly well researched during the planning process over the last two or three years. We then tender everything, and we have fixed prices for blocks of work as far as is possible. For example, the architect for the roof is on a three-year, fixed-price contract and is not on a percentage fee. So all of those mechanisms are built into the tendering process and into the initial pricing process to make sure we're getting good value for money.

In terms of monitoring what's actually been done, we have a very stringent change control process. We have several levels to that process. We have a full-time program or project manager on staff who reports to me. He is in daily contact with the construction management people on site to make sure the work is progressing as planned. We have a very detailed schedule, and I have a copy in my office that tells me this particular week what they should be doing. I actually spot-check myself from time to time to make sure they are where they're supposed to be and what they're supposed to be doing.

I meet personally every two weeks with the construction management firm—often the owners of those firms come to the meeting—and with the chief architect of the firm of architects. I meet every two weeks and we review the status of the schedule, the status of the budget and the expenditures, the change control items and any issues that either I wish to raise with them or they wish to raise with me.

The next stage used to be when there was a special committee on the parliamentary precinct. We used to meet regularly and we would have—it was before construction started, but we still had a number of planning and tendering items that we were going through, and that would be another level of review.

The board, of course, I report to regularly, either with an information report or with a report that may require a decision on change control.

Those are the mechanisms in place at this point and we've been successful in keeping all the costs under control and within the estimates provided even three years ago.

**Mr Farnan:** Okay. I think that's what the taxpayer would want to know, that all of these things are very laudable. The end result is that you will be on time and you will be within budget.

**Mrs Speakman:** That's right. Our major issue for any public service area is cash flow, in that we operate here on fiscal years, and projects don't neatly fall into fiscal years. Those are some of the things the board is dealing with. They look at the overall costs of each phase and each part of the project, and those are within budget.

**The Chair:** Mr Farnan, that is all. Colleagues have indicated they wish to ask questions.

**Mr Farnan:** That's fine.

**The Chair:** I can come back to you later. Ms Mathysen?

**Mrs Irene Mathysen (Middlesex):** Mrs Speakman, you mentioned the celebratory ball that was planned, and I've heard rumblings of concern from the public, the reaction to this kind of event. I'm wondering if you could provide some details about your plans and how you'll proceed. Have you given thought to how you'll deal with those concerns from the public regarding cost, the typical reaction to something like this?

**Mrs Speakman:** To be quite frank, we discussed this, obviously, with the Speaker, and the feeling was that the first thing we should do is ask if the members would like something like that to happen. Secondly, would the members be prepared to pay so much per ticket, as you would for any other function.

I think that's the basis on which we will hold the ball, because the Office of the Assembly has no funding for a ball and does not intend to ask the board for any funding for a ball. So this is really up to the members and the staff. If you would like something like that and you're prepared to pay your way, we will be happy to organize it for you.

**Ms Mathysen:** Okay, and it would be made clear publicly that no taxpayer money has gone into it.

**Mrs Speakman:** No money involved, nothing.

**Mrs Ellen MacKinnon (Lambton):** Ms Speakman, you've mentioned, and I'm sure I've heard you right, that the windows are repaired, or are all windows going to be repaired?

**Mrs Speakman:** Every window is assessed as to whether it can be repaired or whether it needs replacement. As we repair the roof and the stonework in a particular area of the building, we also do the windows at the same time while the scaffolding is up. So the centre block windows—the majority were repaired. I think one or two were replaced.

1610

**Mrs MacKinnon:** The reason I'm asking is, and I'm not trying to be frivolous here, in the office where I am—and I love my office; please don't move me out—there are three great big double windows. The draught that comes through one window is so strong it will blow the curtain and the velvet drape right out away from the window altogether.



When you said all windows, I just thought, "I don't see any scaffolding," but are those windows on the docket, because if they're not—

**Mrs Speakman:** Every window in the building is scheduled for repair or replacement.

**Mrs MacKinnon:** That's good to hear. I was wondering if maybe you had some criteria whereby you were picking and choosing.

**Mrs Speakman:** No, every window will be looked at. It's a fairly disruptive process.

**Mrs MacKinnon:** Yes, we know from the east lobby.

**Mrs Speakman:** Exactly. You may want to consider if you want to stay in the office at the point when that happens, because it is disruptive, but every window will be done.

**Mrs MacKinnon:** We'll cross those bridges about being there when you're repairing when we come to them.

**Mr Randy R. Hope (Chatham-Kent):** Barbara, one of the concerns, as I see the scaffolding start to come down and you start to clear out the front a bit, when you move over to project B—wherever that may be; I've never been on the committee so I don't know—I noticed the lumber you were using in developing that ivory tunnel there. Are you going to be moving that over to be utilized properly instead of spending more money on new lumber in developing it?

**Mrs Speakman:** Yes. That arch is actually made up of component parts, similar to the parts that are used in building a residence. There's a lot of truss work, separate trusses. Those can all be dismantled and reused, and that's why we used that form of construction, so it wouldn't be wasted. The hoarding that goes around the plywood will all be reused. It's all good enough quality that it will be reused right around the building. There are only one or two other spots where a small arch is required and we will reuse the truss work from the big arch for that.

**Mr Hope:** So I guess we can expect that whole process to be done by springtime?

**Mrs Speakman:** Yes.

**Mr Hope:** Then moved over to wherever project B will be.

**Mrs Speakman:** That's correct.

**Mrs Sullivan:** I'd like to move away from the questions of renovation and restoration and move to the item which is included in the current management advisory committee agenda with respect to the MGS service agreements.

I think that over a period of time we've seen service agreements with respect to space for members' use, with respect to the expansion of the precinct, with respect to things like plaques—some of them more frivolous than others. As you know, certainly I had a personal incident with the OPP coming to my constituency office, not part of the official precinct. We've had in my experience as a member issues associated with use of the parking garage and security there, all of it kind of more in the MGS service agreement, but they relate largely to the whole issue of precinct.

I wonder if the Clerk could discuss, from his previous experience in Ottawa, what the standards of the precinct are there or in other jurisdictions. Do they, by example, cover

constituency offices, and how does that whole issue move into the discussion, other than coming, say, to the board as a question for discussion which it may or may not do because it's not a particular financial issue?

This is a matter that I think is one of importance to every member. As you know, I felt that my privileges were breached as a member when the OPP came to the constituency office when they would not have been able to take the same steps in this place. I think the issue of precinct is an important one. We saw another member last week whose constituency office was burned down. The question of security in those offices also is an issue that should be on the table. I'd just be interested in hearing you discuss that entire issue.

**Mr DesRosiers:** The whole question of precinct is a difficult one in the sense that there is no precise definition from parliament to parliament. But generally speaking you will find that precinct is that area where members work and where the privileges that members have are protected. Members generally, and this is not, strictly speaking, reserved to members here, but throughout the world, have—how shall I say this politely?—a difficulty in analysing this concept of privilege.

Parliamentary privilege is a very limited thing. It is attached to your right of free speech basically in two areas. Members of Parliament in the British parliamentary system have privileges that have been devolved throughout the ages and that turn around two things: First, as I said, the right of free speech in the chamber and in committees of the House, and also the right of access to that chamber and to committees. If I'm asked as a Clerk to define what parliamentary privilege is, that's what it's limited to. If anybody stops you from coming to this place to do your work, from going to the chamber, from attending a committee, your privileges are attacked.

Over the years, with the development of technology and so on, members have argued to various Speakers here and in other jurisdictions that the fact that an office was entered or the fact that an office was electronically eavesdropped on—this happened a few times in Ottawa. The case was put before the Speaker in a very forceful way. The Speaker, after considering these things, while deploring the fact and while doing everything he could do to make sure the circumstances around that eavesdropping were known, refused to call this privilege. Privilege remains that very, very restrictive thing.

To get back to your initial question of precinct, therefore, precinct goes around that. If you want to know what the definition of the precinct is in Ottawa, you're very familiar with Parliament Hill, and precinct of Parliament Hill is that area where the House is situated and also where committees meet. Basically it takes in that whole area inside the fence; that's the precinct. The precinct here is the building here and the first two floors of the Whitney building; that's the precinct.

Your privileges are those privileges which I described, that privilege of unfettered free speech, which is a very big privilege, that in the House you can say what you want. You're completely free to say so and no one, but no one, can attack that. But that is what privilege is; the rest is not. I realize your problem. Also, it becomes very difficult.

Just one final point here, which has to do with the police. I think the Speaker has ruled on this in the House. The police



can come into this building, can come into the precinct only on permission of the Speaker. But that, to a certain extent, is limited as well, because the Speaker will not refuse access to the police. The only thing that's gained there is that the police cannot come in and out of this place as they wish.

If the police come to the Speaker and say, "Mr Speaker, we have reason to believe..." etc, the Speaker will not say, "I'm sorry, you can't come in." That's it. Police forces throughout the province and throughout Canada really—because the RCMP has responded in writing to the Speaker's decision in the House, and the Speaker was just applying guidelines that the same police forces are well aware of in Ottawa. They all responded positively to this, and police forces will do this. But the Speaker will normally say yes, and would have to have a very serious reason to say to the police, "No, you cannot go in."

1620

**Mrs Sullivan:** I think that as we pursue this discussion, there are of course the two areas. One is the question of privilege. The other is the question of services.

The question of services includes a lot of issues that are extremely important to the members in doing their duties: the security of their files, the security of their person and of their staff, the appropriate equipment being available for them to do their job. Frankly, I think that we are well served in that area.

My understanding is that in Britain now, as their quarters are now changing, their view of the precinct itself is changing, and that the privileges associated with the precinct there are now being moved to other places across the road from Westminster, to where their new offices are. We have not considered that. They don't have constituency offices in the same manner that we do.

It was only recently, by example, that the precinct even included our offices in the Whitney Block. When I was first elected, that was not part of the precinct. I think that while we take much of our direction and tradition from the British experience, when we have something that is quite distinct and different from that tradition in the constituency office setup—about which we could have a debate with respect to that usefulness and whether in fact we are doing the work of a member of Parliament—we should really have a relook at this whole area.

The police would have presented themselves had the particular policeman involved not lived in Guelph and had it not been more convenient for him to attend at my constituency office on his way home than it was for him to request a meeting with me at the Legislature, in which instance he would have had to report to the Speaker, the Speaker would have known why the police were there, and it would have been made clear how they got there in the first place.

In my mind, I'll tell you, I still believe that my privileges were breached, that there was a definite attempt at intimidation with respect to that issue, and that's why they were called in in the first place. But I think there are big issues to be looked at here. I use the link from the service agreements because that's where the whole issue of precinct first came to my attention, but I think that we aren't looking at this question in nearly enough depth.

**The Chair:** Could I have a point of clarification from the Clerk? Is it not in Ottawa a fact that the precincts of Parliament extend beyond the fence, that it goes to the Confederation Building and it crosses the road into some other buildings on the other side as well, so it's not actually confined to the Centre, East or West Block?

**Mr DesRosiers:** In my description, that is the precinct. Precinct and privilege are two different things. You can define the precinct of Parliament, but that doesn't mean that your privileges are more protected because the precincts are enlarged. Privileges are basically attached to your right of access and free speech in two places: the chamber and in these committees. That's privilege. That's privilege at Westminster; that's privilege here. This is what I'm saying. Speakers have refused, at Westminster, in Ottawa and here, to extend that notion of privilege.

Over the last 20 years that I've been involved, I've heard many, many cases being put to Speakers, saying: "Listen, I realize that privilege is very, very limited, but I put to you, Speaker, that I've been intimidated, that people have tried to stop me from doing my job." The Speakers have resisted that, rightly or wrongly, but that's the fact. Privilege has remained that very limited thing.

**The Chair:** Thank you. We have a number of speakers.

**Mr Paul Wessinger (Simcoe Centre):** I just have a question pertaining to the building again with respect to what is authorized under the question of repairs. I'm wondering if any improvements or repairs to the heating or air-conditioning system are involved in that authorization.

**Mrs Speakman:** As I indicated before, the board at this stage has approved that any attic work or ventilation or platforms for mechanical systems required for future heating, ventilation and air-conditioning systems should be built in at the time we're working there. The design work for future HVAC has been done only to the conceptual level at this point, and part of the consideration the board is looking at right now is, how much further in design work do we go at this time? So the long-term plans include it, but there is no authorization at this point for that.

**Mr Wessinger:** Right. Fine.

**Mrs Dianne Cunningham (London North):** I just wanted to ask how you were doing financially. You told us you were happy that we were on time and that the goals we had set out in the different areas were being met, and I wondered if you were still within budget or if you've got any plans if you're not.

**Mrs Speakman:** For each of the major projects—the roof repair, the window repair and replacement and the stone work—we are within those individual budgets we had projected some time ago. The only problem we've had has been cash flow within fiscal year. Those matters are brought to the board as they occur and the board deals with those as individual items. But we're within overall budget for the project, yes.

**Mrs Cunningham:** When did you say it would be finished? I'm now talking about the outside, the restoration.

**Mrs Speakman:** The whole of the outside? The whole building?

**Mrs Cunningham:** Yes, the whole thing.

**Mrs Speakman:** The board is considering at the moment whether it will be two more years or four more years.

**Mrs Cunningham:** If it's two more years, we should expect some scaffolding for two more years.

**Mrs Speakman:** That's right. The original intent was the centre block the first year, the west wing the second year and the east wing the third year. That is the program the board is now looking at and determining whether it's going to do that or whether it will be half of the west wing and then the second half and then half of the east wing and then the second half.

**Mrs Cunningham:** Okay, it's that simple.

**The Chair:** Final speaker.

**Mr Farnan:** We have talked about keeping within budget. The other area I'd like to focus on—and I suppose people who are in business want to be assured that the access to contracts is fair, and of course the government obviously has this as a major priority—is, could you elaborate on the tendering process that would assure business people that there is a fairness involved?

**Mrs Speakman:** The major contracts, original ones for the architects and so on, were all two-step processes. The first step was a national advertisement for letters of interest from firms that had certain qualifications, background and experience in the type of building we're dealing with here, which is a heritage building. The response to those requests for letters of interest were generally between 60 and 100 firms. There was an evaluation process by a full committee of all of those letters of interest and short lists were developed from that. Interviews were conducted much later on, but we would select, for example, 12 or 15 or 20, depending on how many there were that were very well qualified, to submit bids, and then those bids were further evaluated in great detail based on specifications that we had put out and a final selection made.

The process from then on is for the actual repair of the roof, the copper work and all those kinds of things, then a tender goes out for that and bids come in and then we evaluate those bids. The same process takes place for all those. For the subtrades, the construction management firm does the same, and does that on our behalf, and then we review the final prices and the final bids before an award is made.

**Mr Farnan:** Can I ask you—

**The Chair:** A brief supplementary, Mr Farnan.

1630

**Mr Farnan:** There are a couple of questions I would like to ask, Mr Chair.

**The Chair:** We do have another item to deal with, Mr Farnan.

**Mr Farnan:** Basically, were there any challenges from businesses to the tendering process?

**Mrs Speakman:** No. In fact, we offer debriefings to all people who send us either bids or letters of interest. In some cases, firms took us up on that and we debriefed them. Everyone was happy.

**Mr Farnan:** Well, considering the competition, you are to be commended in that respect.

There are two very brief items, Mr Chair. The scaffolding which exists around the building is a potential danger; always,

wherever there is scaffolding, there is a potential danger to the public. What precautions are being taken to ensure the public is safe in this environment?

**Mrs Speakman:** We have additional security at night to make sure no one enters the site. All the scaffolding is completely fenced off. We have protection over all walkways—for example, the archway over the entrance—to protect people from falling objects, debris or whatever may fall. It's restricting access. Obviously, the normal construction safety precautions are taken with anyone entering the site: hardhats, construction shoes and so on.

**Mr Farnan:** What would the liability be for this assembly for any occurrences or damages?

**Mrs Speakman:** It's all tied in with the contracts, the construction firms themselves and the insurance and liability they have for a construction site.

**Mr Farnan:** They're covered.

**Mrs Speakman:** That's all covered as part of—

**Mr Farnan:** I shouldn't say they're covered; we're covered.

**Mrs Speakman:** It's part of the contract.

**Mr Farnan:** The final question—and I hope you'll take this in the way it's meant. You're saying you're meeting all these time lines and you're coming in within budget, and yet the work is being done several years later. There was an inflationary cost. Did you actually pad the budget initially so that now you're coming in within budget three years later, or is this just good planning?

**Mrs Speakman:** It's a little bit of both. In terms of padding, we had a—

**Mr Farnan:** Do you want to take that back?

**Mrs Speakman:** No. We had a ballpark figure based on a concept and we had no details. Once we got down to the detail level, they were very stringent estimates that were provided. But the major contributing factor, apart from all the project management techniques we have put in place, is the fact that the bids in many cases are much lower than we had anticipated due to the recession, and a lot of the top craftsmen are available and the top firms are available and they want the work, so we're getting very good bids.

**Mr Farnan:** I would finally like to say—

**The Chair:** Very briefly, please.

**Mr Farnan:** I will sum up with this point, Mr Chair. I would finally like to say that it's very important to the public that we come in on our budgetary targets. If you can do this, as you appear to be doing, then I think you're doing everyone a very big favour. The public likes to know what it's buying at what price and that the price doesn't change in the process of the purchase. It looks good at this stage and I hope you're able to achieve successfully what you've presented to the committee today.

**The Chair:** Mr Hope, I overlooked you. You should be the final speaker. Mr Hope, you have a question?

**Mr Hope:** I was interested in the conversation about privileges and about precinct. I'm wondering, those arguments over the years that you've been involved in the process, if the process is not asking for members' political—what would



you call it?—immunity, that a lot of members are looking for—of being untouchable throughout the whole public eye. If that's what I'm hearing members are looking for, then I really raise a lot of questions in segregating ourselves from the general population, and that's why I have to put this forward. I understand what you're saying about the precinct being committee rooms and the House itself, but going beyond that stage and—you've got to watch how much you segregate yourself from the general public. I just wanted to hear those comments over the 20 years of your experience.

**Mr DesRosiers:** I think you're quite right. I come back to the difference between precinct—which is that area in which services are offered to members; it's that area where members do a lot of their work—but privilege is a different thing. Privilege—and you can read it in *Erskine May*; it's a couple of paragraphs and well worth your read—is that which permits you and does lift you beyond the normal realm of everybody out in the street. This is something that Mr Public does not have that you have, and this is the right of free speech in the House and in committees. This is why you sometimes hear the reference which is offered jokingly, I'm sure, by members in the House, who say, "Well, go and repeat that outside the House."

You'll all remember André Ouellet being brought before the courts for words that he mentioned just outside the House of Commons in Ottawa; in the building, well within the precinct, but outside the House. That is your privilege, a very important privilege.

There was a case here before I came, and I don't want to criticize people and so on; it was a case that you probably all have heard of. I don't think any members were here then, but maybe they were. I don't know, I don't think so. There was a case here, a member of this House who brought a question of privilege before the Speaker. His question of privilege was that he had received a letter from his bank manager who didn't like the activities he had partaken of in picketing with employees of the bank. The bank manager had written the member calling back his loan, if I remember correctly, and saying, "Listen, pay up." The member got up in the House and raised a question of privilege and said, "My privileges as a member have been attacked here by this bank manager."

The House voted to send that to a committee, but it was not a question of privilege. This member's privileges have nothing to do with his business with the bank manager. That's between him and the bank manager, and maybe the bank manager was right in writing the letter; that's beyond it. What he was saying was, "My rights of free speech to picket in front of this bank are being limited somehow by the bank manager." But he has no right of free speech in front of a bank. He has the right of free speech in the chamber, the right of free speech here. I just use that example to illustrate the point.

**The Chair:** Noble, you indicated you wanted to ask a question.

**Mr Noble Villeneuve (S-D-G & East Grenville):** Yes. I was a member back then. I guess I'm telling you my age now.

**Mr Hope:** Are you that old?

**Mr Villeneuve:** Yes. Back to Barbara, your statement regarding the possibility of repairing only half of the west

wing and half of the east wing. What do you mean by that? It was a couple of questions ago.

**Mrs Speakman:** All I meant was that the board is looking at two scenarios right now, one for completing the project in a total of three years and one in a total of five years, and the difference obviously is that if we're going for a five-year scenario we cannot do the whole of the west wing next year. We could do only half of the west wing.

**Mr Villeneuve:** Once you're set up, the economies would be conducive, in my opinion, to try to complete what you're doing, movement of members, movement of staff etc. When you've possibly got an area vacated, would it not be wise to finish it?

**Mrs Speakman:** Well, we've just provided what the board asked us for. They asked us just to look at some different scenarios for cash flow, and we've done that. Obviously, there are pros and cons for each scenario. We've provided the board with your views on that also and it will take those into consideration.

Yes, you do lose time, you lose money to a certain extent because you're setting up twice, you're preparing sites twice. You don't have the flexibility of moving workers on a larger site; if it's raining or, you know, there's a problem over here with this part of the site, you can move the people over to another part. Well, you're more limited if you're doing half a wing. But the board has all that information, and I guess it'll consider it and decide which way it wishes to go.

**Mr Villeneuve:** So it's totally in the hands of the board, as opposed to any of us. It's the Board of Internal Economy, I presume.

1640

**Mr DesRosiers:** That is a decision for the board. I'll use this example to illustrate how we work here. Sometimes some people have a different opinion of how we operate because they're used to dealing with public servants in the Ontario public service, and this is no denigration of what they do. We operate in a totally different outlook. We have a building here and part of our duty is to recommend to the board certain things that have to be done in order to keep the building up and we do that. If the board says yes, then we execute the work.

You see, we all have work to do. Our job is not increased. We're not building empires; we're not trying to build new directions or anything by trying to promote new projects to the board. The board, on the other hand, has a responsibility for the money aspect and has, in its wisdom, to decide whether it's better to do.

But I think you're quite right in your analysis that basically you can spread it out over five years and spend less money each year, but I think it's pretty difficult to argue that the total bill will be less. The total bill will be more. So this is a decision that the people will have to take.

But then, on the other hand, the members of the board have a very important and a very difficult duty. I have to account to the board for my actions and I account to you people and to all the members. But the board has to account to the people in Ontario, and that's why I don't run for politics—I mean, I'd much rather account to you people than account to the people of Ontario. Therefore these are very difficult decisions for them in these hard times.

You see, when I have people in my office sometimes and when we don't have scaffolding there, I open the drapes and we talk about the building and so on and I point to the Bank of Montreal Tower downtown. I say, "Do you see that building?" and they say yes. I say: "The difference between this building and that building is that in 500 years the Bank of Montreal Tower, I can guarantee you, will not be there; we hope this one will be. That's the difference."

**Mr Villeneuve:** One final question: How many square feet of unusable space will now be usable after the renovation? I gather there's a considerable amount of area there. That's a plus. Any idea, Barb? I'm going back to my days when I was on the precinct committee and I recall that was—

**Mrs Speakman:** I haven't got it right on the top, the number of square feet. The only new, usable area is in the west wing, fifth floor, and I have no mandate at this point to renovate that. What we're doing right now is the repairs and putting in the platforms for mechanical equipment and so on, but I have no budget to actually finish the fifth floor at this point.

**Mr Villeneuve:** That's a change, I gather, from when I was on the committee back in 1989.

**Mrs Speakman:** We had hoped to do it at that point but, as I said earlier, the board has approved only essential repairs and so on, so that's a future project.

**The Chair:** Ms Cunningham, very briefly, the final speaker.

**Mrs Cunningham:** We had hoped to get all that done. I guess the only thing I can say with regard to what we're doing right now is that we finally have a group that has the guts to do it, because we won't have that building 500 years from now if we don't do this work. They've waited far too long. I think it's intolerable that the members are out of this building. I think they should all have their offices in this building. That was the intent and we can't do it without moving forward.

I think it's intolerable that we have a wonderful light service and we can't bring the people who own this building into it to use the washrooms on the weekends and any other time, and we're all sitting here moaning about things and this is the public's building and they can't even get into it without very careful planning. We have to turn school groups away, and that's why I'm going to stay involved as long as I can. By the time we all leave, I hope we can stand up for what's right in this province.

We talk about the Americans having an allegiance to their state building and they go down there on trips all the time. We can't accommodate the young people who want to come here now. Everybody knows you haven't even got washrooms for your mother if she visits. So don't ever be proud of what we're doing here. We've slowed it down, and to slow it down any more I just think is intolerable.

**Mr Farnan:** I think on that point, Mr Chair, you would have to admire a government that, in a recession, undertook the renovations that had been put off for years, boom years. So I feel very proud of the government moving ahead with this initiative—

**Mrs Cunningham:** With a lot of help from the opposition parties.

**Mr Farnan:** —at this particular time.

**The Chair:** Order, please. On the fact that the renovations—

**Mr Hope:** Mr Chairman, did you notice I didn't even speak up?

**The Chair:** Order, please. Under the previous government in fact, the whole process was started with the precinct committee. I was a member of the precinct committee along with Ms Cunningham, and we went over this. We went over the budget in great detail. We had a great number of meetings and we made the recommendations.

Yes, this building is in need of repair. In fact, to answer Mr Noble Villeneuve's question, there's about 13% to 17% of this building not used that could be used for office space right now. Hopefully, in the very near future, the fifth floor can in fact be put back into service again. I understand it went out somewhere in the 1950s or 1960s, in that period of time.

**Mrs Speakman:** The point to remember also is that until we have sealed the building and stopped it from leaking and all of the other things, it's not going to be cost-effective to start renovating those spaces. Also, there's only a finite amount of work that we can manage and control in any one given year. Quite frankly, we wouldn't want to start any more work than we have on right now. But the plan was to proceed, after the initial repairs, with many of those other things that would restore the space.

**The Chair:** In fact, the precinct planned the restoration of this place over a period of 10 years.

Again, on behalf of the committee, I thank the Clerk of the House, Claude DesRosiers, and the executive director, assembly services, for coming along here this afternoon. We wish you the best for the season.

On behalf of the committee, I thank the Clerk for the services he's offered in the House to the members, and indeed Barbara Speakman for continued good service to the members in this building.

**Mr DesRosiers:** If I might have one word, I just want to impress upon this committee that it's neither Ms Speakman nor myself who do all this, but we have very, very dedicated Office of the Assembly staff here who work like the dickens for all the members, and we are all here for you.

**The Chair:** Before we go into closed session to deal with the issue of security with the Speaker, I will require a motion from the committee. At this point we do not know if this committee has indeed been allocated any time over the winter session to meet to deal with some issues. In case the committee has been allocated some time, I wish the committee to authorize the clerk to meet with the subcommittee either over a conference call or whatever as soon as that information becomes available.

**Mrs MacKinnon:** I so move.

**The Chair:** All in favour? Carried.  
This committee stands in recess.

The committee continued in closed session at 1648.



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Owens, Stephen (Scarborough Centre ND)
- \*Sullivan, Barbara (Halton Centre L)
- \*Villeneuve, Noble (S-D-G & East Grenville/S-D-G & Grenville-Est PC)

\*In attendance / présents

### **Substitutions present / Membres remplaçants présents:**

Cunningham, Dianne (London North/-Nord PC) for Mrs Marland  
Hope, Randy R. (Chatham-Kent ND) for Mr Owens  
MacKinnon, Ellen (Lambton ND) for Mr Cooper  
Wessenger, Paul (Simcoe Centre ND) for Mr Mills

**Clerk / Greffière:** Mellor, Lynn

**Staff / Personnel:** Yeager, Lewis, research officer, Legislative Research Service



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Deuxième intersession, 35<sup>e</sup> législature

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Monday 15 February 1993

# Journal des débats (Hansard)

Lundi 15 février 1993

## Standing committee on the Legislative Assembly

Religious holidays

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Fêtes religieuses



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# LEGISLATIVE ASSEMBLY OF ONTARIO

## STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Monday 15 February 1993

The committee met at 1406 in room 228.

### RELIGIOUS HOLIDAYS

**The Chair (Mr Noel Duignan):** I call the standing committee on the Legislative Assembly to order. The agenda for the rest of the week for the consideration of this committee is to consider the development of a policy with respect to the recognition of religious holidays in the legislative calendar. To begin today, we have some background briefing by Peter. Peter, have you any idea how long the briefing will last, a half-hour?

**Mr Peter Sibenik:** Twenty minutes.

**The Chair:** Twenty minutes, and at that point it's at the discretion of the committee whether we wish further briefings or we begin our discussion.

**Mr Sibenik:** Thank you very much, Mr Chair, and good afternoon. I'll begin my background briefing by pointing out to you the existing provisions that we have with respect to religious days. If you turn to the standing orders, standing order 8(d) is the particular provision that we have currently. We've had that provision since the 1986 provisional standing orders came into effect. This particular provision has to be set in the context of the parliamentary calendar, of which we have a spring and a fall meeting period. I've appended a copy of the parliamentary calendar. I think all members are fairly familiar with that.

The House sits normally from Monday through Thursday, according to the standing order, but we've also got these particular provisions that we find in standing order 8(d) that specify eight days, together with the March break, on which the House will not meet. Three of those particular days deal with Christian holidays: Good Friday, Easter Sunday and Christmas Day. Those are the only three religious holidays that are mentioned in the standing orders.

On occasion, as I've indicated in my background memo to the committee clerk, a copy of which I hope is before you, there are modifications made to these standing orders, in fact to the parliamentary calendar. Usually, they are by order of the House. It can be done with unanimous consent as well, and this occurred on a number of occasions in 1992, last year. I've indicated what those occurrences were. Some of them dealt with Jewish holy days; others dealt with Christian holy days.

The very first one, for example, the Thursday before Good Friday, was an early adjournment of the House by order of the House. The other incidents there dealt with Rosh Hashana and Yom Kippur, and I think members are fairly familiar with those particular incidents and I don't have to go into them. The very last one dealt with a situation where the House gave unanimous consent for a member of the House to deliver a response to a ministerial statement that was made the previous day. So I would say

that the first three items at the top of page 2 of my memo deal with an order of the House changing an existing standing order, and the last one with a situation where there was unanimous consent that was given for a change.

I've undertaken a number of background studies for the benefit of this particular committee and I undertook these studies in the absence of specific detailed direction as to the kinds of studies you wanted done, but in any event I undertook these. The very first one I did was that I thought you might be interested in finding out what other jurisdictions across the country have done with respect to this particular issue.

The short answer to that—you can see the summary of the responses I got from other jurisdictions—is that it is not an issue or else there are very few rules and practices from other jurisdictions that are going to be of much assistance to the committee in its deliberations on the matter. That might pose a problem for the committee; it might not, depending upon your interpretation of that.

You will see from appendix B, however, that there's a two-page summary of all the responses I did get from those other jurisdictions, amid communications with the clerks' offices in those jurisdictions.

The second study I did was that I thought the committee might be interested in knowing a bit about the religious affiliations of the members themselves, and unfortunately there is not much published data on this. That was the context in which I undertook that particular study.

The fact of the matter is that my source, the publication I relied on, the Canadian Parliamentary Guide, does not indicate the religious affiliations of almost 50% of the members of the House, and therefore the data I generated from that particular publication is somewhat skewed. It's inaccurate, I would say, but I provide those data in any event.

I've also indicated in the background memo that there is no personal leave policy for members. The only reason I indicate that is that unlike the members, employees of the assembly do have a personal leave policy which I can use for religious and other reasons, so I, along with other assembly employees, do have access to that kind of a policy.

The Guide to Members' Allowances and Services indicates that there is no such personal leave policy, and that puts members in a particular difficulty, I would say, when it comes to a situation where a member wants to observe a particular holiday, holy day or festival, and the member also might be required to attend to the service of the House or a committee at the same time.

Finally, I also thought members might be interested in knowing what the religious background of the general population in Ontario might be. If you see the appendices I've attached here, they will indicate that approximately 90% of Ontarians belong to Christian faiths and the other



10% are, I would say, scattered among the other religious faiths that exist in Ontario.

There is a multifaith information package, the white binder that I hope many of you have received, and there is also a calendar as well. They give background on each of these particular faiths. There must be about 15 or so and they range in population from 2% or so of the population to 0.05%, something like that.

The problem, of course, is the extent to which you want to recognize all of these particular faiths that exist here and the fact that it will be a very strange-looking parliamentary calendar if you decide to recognize all of these various religious holy days that exist in the province. I leave that issue with you. I think it's a very thorny and difficult issue that is before you.

That basically is my submission. If you have any questions, I'll be here. I'll be available today as well as for the rest of the week in the course of your deliberations.

**The Chair:** Any questions from the committee members?

**Mr Rosario Marchese (Fort York):** We looked at the jurisdictions within Canada, but are you knowledgeable about anything else that might have been done by some other country with respect to this issue?

**Mr Sibenik:** I took a look at the rules with respect to Westminster and they do not have any specific provision dealing with the observance of holy days. There's just a government motion that the House considers, and that generally covers things like the Easter break, the Christmas break or the spring or summer holidays. The government motion is fashioned in that kind of manner.

Our particular provision, which first made its appearance in the 1986 provisional standing orders, is fashioned, generally speaking, on the basis of the Ottawa standing orders at the House of Commons in Ottawa. That's where we get ours. Before 1986, there was no such provision, really, with respect to the observance of any kind of holiday, whether it was a holy day or otherwise.

**Mr Michael A. Brown (Algoma-Manitoulin):** I'm just wondering what we know about statutory holidays. Can you tell us what, by statute, are holidays across Canada, and then what are statutory holidays in the province of Ontario? It's a broader issue, but I think this falls into it.

**Mr Sibenik:** The statutory holidays are different from jurisdiction to jurisdiction, which is to say from province to province, because they each have their own employment standards act that specifies their own specific holidays. But there are ones that are generic across the various jurisdictions and these ones—Easter Sunday, Christmas Day, Good Friday—are ones that are common right across the country. Those are the provisions that are in our particular legislation as well.

**Mr Brown:** Are there any federal statutory holidays?

**Mr Sibenik:** There are for federal employees, and I believe those are in the federal legislation as well. They are fairly common right across the country, I would say, and across the jurisdictions, these particular provisions with respect to these holy days as well as the other regular ones; for example, Victoria Day, New Year's Day, Labour Day,

Thanksgiving Day. Those are the usual ones that are observed.

**The Chair:** Further questions? I have one. I noticed Management Board has been dealing with this particular issue. Do we have any results or any indication or has Management Board indicated any policy in this direction? I know they've been meeting with the Ontario multifaith council.

**Mr Sibenik:** I don't have any knowledge of that particular matter. It's not something I actively canvassed.

**Mr Lewis Yeager:** I have some information on that. The Management Board has put together a table for guidance of the managers within the provincial civil service. They've canvassed all the religious leaders of all the groups that are allowed to perform weddings in Ontario, and from that developed a summary table, chart 1 of Christianity and chart 2 of other religions, in which they've gone through the religious holidays that each of these faiths regard as important enough to be considered in this matter. So there has been some consensus achieved by the government on which holidays are of prime importance to the major religions in the province.

**The Chair:** Could you make that report available to the committee?

**Mr Yeager:** Yes, I'll have copies made of that.

**Mr Marchese:** I was just going to recommend that we distribute the OPS guidelines to the members. It would be useful.

**The Chair:** Any further questions? There appear to be no further questions at this time. How would the committee like to deal with this particular issue or how would the committee like to proceed from this point on?

**Mr Gordon Mills (Durham East):** Can I ask a question? Are we here to devise a policy no matter what the composition of the House is at that time? To me, it would seem to make profound common sense that if the faith of the members is divided between, say, Christians, Jews and some other religion, really on that day and time we should be looking at that. Why would you be setting rules for the House when this situation might never arrive? You might never have someone of the Islamic religion there, for instance. When you had that, wouldn't you address that when that happened, or is that too common sense?

**The Chair:** Mr Mills, this issue has been referred by the Speaker to this committee.

**Mr Mills:** Oh, I see.

**The Chair:** It arose out of an issue late last year in relation to, I believe, the Jewish faith holidays.

**Mr Mills:** Yes, I can see that. So we're asked to look at a policy and we're not asked to consider what the composition of the members may be.

**The Chair:** We're asked to consider our policy around religious holidays etc for this Legislative Assembly.

**Mr Mills:** So if the situation arrives, we've got it in the rules. Is that what you're saying to me?

**The Chair:** Sorry, Mr Mills?

**Mr Mills:** So that we're ready if something happens. Is that it?

**The Chair:** We're supposed to set a policy on which, if any, religious faith holidays we should observe, I think. That's my understanding.

**Mr George Mammoliti (Yorkview):** Has the Speaker given an indication as to where he would like us to go with this, except: "Look at it. Here, deal with it"? Has he given you an indication of where we should go as a committee?

**The Chair:** There was no particular direction. The Speaker asked us to take a look at this issue and come up with a policy. If the committee doesn't come up with a policy, we can simply refer it back to the Speaker again.

**Mr Gilles E. Morin (Carleton East):** I believe the whole issue was raised when Steven Offer—you remember, on Bill 40. Perhaps you should ask Steve, what was the purpose? What did he mean?

**The Chair:** I'd be more than delighted to.

**Mr Steven Offer (Mississauga North):** I don't know too much about how this matter got here, except that I can tell you that in the last session I rose on a point of order, and maybe the committee should be looking at this particular aspect of the matter.

As you know, I am the Labour critic for our party and as such had been involved with Bill 40. We were under a motion of time allocation, which stipulated the number of days on which the committee could not only have public hearings but also deal in a clause-by-clause nature with the legislation, just to set the stage.

You will also know that at one point the bill was being discussed clause by clause in the Legislature on a day which was a religious observance for myself. I brought this matter to our committee, the standing committee on resources development, which unanimously requested the House leader to amend that motion as an order of the House saying that we would not have to sit on the day on which I could not be present. It turned out that it was two days of legislative time. The committee, as a result of my request, unanimously agreed to request the House leader for that stay, basically. That was not agreed to, and as a result it necessitated my standing up in the Legislature on a point of personal privilege.

The point was that as a critic involved in a particular piece of legislation, I felt I was standing up for all members of the Legislature, in that there will be times when you are involved in a piece of legislation and have been involved and your attendance is absolutely necessary, not only for yourself as a member of the Legislature but also as a responsibility given to you by your respective caucuses, and potentially, because of a day of religious observance, you cannot be there.

I was asking not for the Legislature not to sit or anything of that nature. I was asking that the order of the House mandating the hearing of Bill 40 be stayed as a result of my having to be away from the Legislature for what turned out to be two days, and I think what happened was that it sort of got banged down into this committee.

I personally would think that it might not be a bad idea—but I know that it's within the purview of the mem-

bers of this committee to determine how they wish to deal with the issue—when that type of situation arises where a member of the Legislature who is really seized of a particular piece of legislation which is before the Legislature cannot be there because of a day of religious observance, there be a policy or whatever of the Legislature that says that in that situation the matter will not be called either before the committee or before the Legislature, and not have to rise on a point of privilege, which I'd hoped would be unnecessary.

I felt it was a matter for which I stood on that day but really could—as we can all easily envisage, each of us might be rising on another day for a matter which they are seized of and cannot be there for a matter of religious observance.

That was the essence of the concern I brought before the committee. It turned out that in the end the House leader did agree to stay the hearing, but not until we had to go through what was, for me, a fairly uncomfortable matter. I did not believe it ever should have had to be raised as a point of privilege in the Legislature, because it had been initiated as a result of unanimous agreement in the resources committee.

I thank my colleague Mr Morin for giving me the opportunity of saying these few words but I might suggest, as the committee was sort of saying, "What is it we're supposed to be doing?" that one of the things you might want to think about is whether a policy can be decided in that type of instance. It is not for me to question whether the Legislature should sit or not. That was never a request I would ever have made. It was a question about a member, seized of a particular piece of legislation as critic or as a minister—I would think there would be a different situation arising in that instance—whether if that happens, there would be a policy where you wouldn't have to rise on a point of privilege to ask for what I believe is a common courtesy afforded to everybody in this province, on other matters in their own walks of life.

That was basically the essence of my concern, and potentially a committee will come up with some sort of policy first to decide whether that is an issue; second, if it is, whether it is one which should be addressed; and third, how it should be addressed.

Thank you, Mr Morin, for giving me the opportunity of saying that.

**Mr Marchese:** I think Steven spoke very well to the issue. I was going to raise two issues, because I didn't know whether or not other members wanted to talk about observing other religious holidays. If that were the case, we'd obviously have different debates to discuss. If that is not an issue, then what Steven is talking about is certainly what I want to be able to look at in terms of how we accommodate other members in terms of observing their religious holidays, and having to respect that in a way he suggests so that he doesn't have to stand on a point of privilege to raise the issue, but rather establishing policy on that. I was looking at a number of instances where this has been accommodated, to which Lewis has already spoken. I think that gives us a good springboard from which to begin.



The point is that yes, there will be occasions when—I think we only have two Jewish members, or possibly three on the other side of the House, or even our side for that matter—this will become an issue. It could be that in the future we might have other members who will also have to observe religious holidays and we will have to deal with that at some point in the future. I think it's important for us, in respecting that, to be able to anticipate those occasions and say that where a matter affects that individual and that person has to be away, we will not deal with that particular matter. I think that is the spirit in which we should be addressing this issue.

1430

**Mr Will Ferguson (Kitchener):** I think my good friend sitting beside me is precisely correct. First of all, I don't know how we can legislate common courtesy. We all work here, and that's something that should be extended to each other in any event. I'm not concerned about how the Legislative Assembly would be affected, nor in my view would the general public be concerned, by any stretch of the imagination, about how the Legislative Assembly would be affected. I'm sure there's a sizeable population out there that doesn't notice when we meet as opposed to adjourn.

What I want to touch on is that we've got a broader public sector out there that is going to be watching this very closely. If we are going to look at any sort of formal changes, I'm looking at how that's going to affect the broader public sector down the road. I did a quick count here of about 77 religious holidays. Quite frankly, I just don't know how you would manage a system like that.

Mr Offer made his point—a point well taken—that it's a common courtesy that should have been extended right away. Obviously, it wasn't, and that's why he brought the matter to everybody's attention. I understand from his comment that it was a courtesy that eventually was extended. I think we all have to be extremely sensitive to that, and to other people's requests, because I think everybody would agree it's a reasonable request. It's not an unreasonable request. But I don't think we can set government policy here by all of a sudden adopting a whole set of religious holidays that currently are not in place.

My concern is where you stop at that point. I don't think we really have the big picture here on what a cause and effect relationship would be if we decided to take the first step. There are a lot of unanswered questions here.

It's not just how it's going to affect us; it's obviously how it's going to affect every employee in this government and eventually every employee in every other level of government. I know Management Board has considered it. I know it has been brought to the attention of Management Board, where some employees of various religious faiths have said, "Look, I want this day off for a religious holiday and I expect to be paid for that day off," even though it isn't what we would normally call a statutory holiday.

My view is simply that we communicate to the Speaker that he advise the House leaders that in negotiation for legislation—let's face it, there's no magic. If it's done on a Monday, a Tuesday, a Wednesday or a Thursday,

this has to be and should be consideration among all three House leaders.

**The Chair:** Thank you, Mr Ferguson. Just on a point of clarification, we're not considering religious holidays for the government; we're just considering them for the Legislative Assembly. There's a difference.

**Mr Dennis Drainville (Victoria-Haliburton):** It seems to me there are two or three principles we might look at, the first one being that I think we're agreed that we're not talking about changing the standing orders. That's not what we're about. Rather, we're trying to establish some sort of guideline which we can hope is taken seriously by the House leaders.

There's no question that one of the principles that needs to be stated is that whoever is elected to sit in this House by the people of the province, must be given all the rights due to them for whatever religious observances they have, following whatever path they follow. That means if they cannot be in the House or in committee because of their religious beliefs, that has to be respected. I agree with Mr Offer's view that this should not mean, therefore, that the House should not sit. That would be difficult. We have to continue to do the business of the province.

However, it needs to be stated, and perhaps it needs to be stated strongly, that with our willingness to respect the religious rights of all people, we need always to ensure that that respect is seen by offering that person the courtesy of acknowledging the fact that they cannot be present at particular times.

Where this gets perhaps a little bit difficult is in terms of establishing a guideline. What is a guideline that can be established? We have the standing orders and we have that kind of codification process whereby we change the standing orders that say X, Y and Z. In this case what we're trying to do is to put together a guideline which, by its very nature, is going to be somewhat tentative and nebulous because, first, we don't know the kinds of religious traditions that are going to be represented here in the Legislature of Ontario. That could change from election to election.

The second thing is that the workings of this place are, I wouldn't say mystical, but somewhat strange at times in that the House leaders meet together in a holy huddle and decide the kinds of directions in which we're going to be going in terms of the work that is going to be set before us in the House. In that particular meeting it seems to me this kind of guideline is going to have to be considered by these people, more so than the Speaker in a sense, because it's these people who set the daily proceedings for us.

The question is, and I put it to you if I might, Mr Yeager, that if indeed we're considering some sort of guideline that can be used, could you please give us an indication of how we go about doing that, what force does that have and how would that be administered?

**The Chair:** I think the comments should be directed at—

**Mr Drainville:** Oh, I'm sorry. I'm looking at—that's not yours.

**Mr Sibenik:** No, Peter Sibenik.

**Mr Drainville:** My apologies.

**Mr Sibenik:** If we're talking about something that is short of a standing order, it has somewhat less authority of course than a standing order itself. I think one of the options the committee might want to take a look at is some kind of a recommendation directed perhaps to House leaders, whips or perhaps by the Speaker, to the effect that the various officials and functionaries of the parties should be receptive to the idea of trying to accommodate members of different religious faiths.

That is one of the options and it would be a kind of accommodation, it would not be a regulation. It would not be a standing order, so something like that could be done. That kind of a recommendation would fall within the purview, it seems to me, of this particular committee if the committee wished to proceed with that kind of a recommendation. It would probably be the easiest kind of thing to draft, although it would take some time to reflect on all the various angles of it.

**Mr Drainville:** May I follow up with a couple of questions? The first thing I'm thinking of is, if there was such a guideline, would this be considered binding on another Parliament? Would this be used in another Parliament, or what kind of support would that give to continue this particular tradition if we were to go in this direction?

**Mr Sibenik:** I think perhaps moral authority would be about the best of it. As I say, in the absence of a standing order, it would not necessarily be binding on future administrations or future governments, but once of course the policy was in place it would be difficult, I would think, to dislodge that kind of thing from session to session and from Parliament to Parliament.

**Mr Drainville:** If I could just clarify, the reason I said at the beginning that I don't think we're looking at a standing order is because I think everyone here would be in agreement that we cannot establish 77 holidays or 50 or 25. In fact, going that particular route, as Lear said, "That way madness lies." But it seems to me that it's difficult to put it down in a standing order because we're dealing with a situation that's going to shift all the time. Do you disagree with that or is it something that can be codified in some way?

**Mr Sibenik:** It does pose a particular problem. It depends on one's perspective on this. Is the reason for the inclusion of certain days as days on which the House will not sit the fact that it is there for the benefit of the members, or is it there for the benefit of the larger public, the wider public?

1440

I sensed on one occasion last year, on the occasion when the House adjourned for Rosh Hashana—I believe it was on September 28; the reasons for the adjournment were indicated in Hansard—there was also an indication on the part of several members that they wished their Jewish constituents well by virtue of the fact that Rosh Hashana was going to occur September 28 and 29.

There is some indication there that the reason for the House not meeting on a particular day is not just for the benefit of members of that particular religious faith but also for the wider public. So it really does depend on one's

perspective. I'm not saying what the right perspective is, but it is an issue.

**Mr Drainville:** My pursuing that particular line is just to reinforce what Mr Offer indicated, that if we take the wider perspective, I don't know how we're going to do this. If we take the narrow perspective of the, I would say, absolute right of the individual member to have his religious observance acknowledged, then I think there are some clear delineations we can take, and we can move in that direction reasonably easily.

**Mr Marchese:** Just to pursue this a little bit in terms of what Dennis has been saying, there will probably be a number of difficulties that we will face in the future, no doubt. If it's true that in about 10 years' time, 40% of Metro's population will be of visible minorities, at some point many of those communities will elect MPs, MPPs and other councillors on other levels where they will want changes to be made. So I anticipate changes will happen inevitably, whether we like it or not.

Whether we can anticipate this somehow through the guidelines is a different matter, and we might, because I think what we're looking at are enabling guidelines that make sure that people like Steven and others are accommodated on particular days. If we know those religious holidays as they affect the Jewish members, for example, we can as a government anticipate that in advance and so avoid certain problems.

Some things you may not be able to control. If you can't control it, that is where we respect the fact that some members on that particular day will not be available, and that may stop the business of a committee or the House. That could happen. But I think we can anticipate these things, and that's why I'm looking at enabling guidelines that will respect the fact that some members will not be available but that they want to comment, and therefore on particular days those issues will not be dealt with. That's how I see us dealing with it, and I believe we can do that very well.

I would add, in terms of what Peter was saying, how do you separate a benefit to the public and a benefit to the member? I think the two are very much interconnected, particularly as we elect members of those communities that they will be reflecting. So you won't be able to separate concerns of the members and concerns of the public; they've become very much complementary.

At some point, it will be difficult in the future in terms of how we deal with it. But this issue is an evolving issue. I think we should recognize the evolution of this issue and that at some point we will have to return to this and change all of the rules around it. But I think we have all members agreeing to this in terms of guidelines, that in itself it will have a lot of force, whether it's in standing orders or not. So if all three parties agree, in itself it's quite forceful. I have no problems in terms of that.

**Mr Morin:** I have difficulty understanding why we are all together here discussing this, because the issue was raised on account of the point of privilege raised by Mr Offer. After hearing him, it's quite obvious that it was not his intention to ask for the regulation to be changed. He



didn't ask that, because he could have been sick. He was the man leading Bill 40 for us, and it happened to be his holiday. It happened to be a Jewish holiday. Had he been sick, it would have been the same thing. They would have said, "Okay, look yes, do take some time and we hope you come back next week in better health."

I believe we're tackling an issue that—have we received any comments from any other people who said, "We don't agree with this legislation"? I don't think we have. Shall we deal with this issue of changing the holidays or shall we deal with Mr Offer's issue?

**Mr Marchese:** We are agreeing.

**Mr Morin:** Sure, we agree with this. But at the same time, I don't think you can establish a rule to tell House leaders how to behave. It's pretty much common sense. You must be sensitive to the members participating on a committee. You say, "Okay, can everybody be there?" I think people got angry for nothing. There was no reason to bring that issue up. If we're about to spend four days on this, I think it's a waste of taxpayers' money.

**Mr Brown:** I think I agree with my colleague. This is really an issue and maybe you could help me, Mr Chair—this issue arrived from the Speaker, did it?

**The Chair:** Yes.

**Mr Brown:** In terms of reference from the Speaker?

**The Chair:** It was referred from the Speaker to this committee to consider the development of a policy with respect to the recognition of religious holidays in the legislative calendar.

**Mr Brown:** I guess I understand, as we all do, that it was precipitated by Mr Offer's request to the Speaker.

**The Chair:** That's correct.

**Mr Brown:** What's confusing here is that I don't think Mr Offer's objection had anything directly to do with religious holidays. It was a personal commitment or a personal emergency that precipitated Mr Offer's request of the Speaker. It just happens—

**Mr Marchese:** What was the emergency, not a religious holiday?

**Mr Brown:** It could have been, as Mr Morin suggested, a death in the family. It could have been personal illness. It could have been anything like that. House leaders for 125 years in this province have been accommodating those kinds of concerns on behalf of the members, so I think we look at this too narrowly, to suggest that this is about religious holidays. What this is about is the rights of an opposition to have its critic in place to deal with government legislation. That's the way I see it, and I think that's the way my colleagues see it.

But we're dealing with a different subject, at least as far as the instructions from the Speaker are concerned. That's a problem I've got. I don't think this is really about religion because what I'm hearing over on the other side is exactly what I think we all believe, that members certainly have the right, indeed the obligation, to observe their own personal religious observances. That's not being questioned by any one.

From the government side, you don't have this problem. If the minister has to deal with a particular personal emergency and/or religious observance, that minister will not have the legislation called on that day. It's just that simple. But in opposition, you don't have that luxury. That's how I see the issue and I guess we'll run around from there.

**The Chair:** Thank you, Mr Brown. Mr Rizzo, Mr Mills and then Mr Drainville.

**Mr Tony Rizzo (Oakwood):** I agree with Mr Morin. I don't think we have a problem and I don't think we should waste taxpayers' money in sitting for four days dealing with something that's not important at this time. Parliament was able to accommodate the concerns of some of our members in 1992 and I think we should stop at that. This problem can be accommodated, like we did in the past, in the future without changing any of the rules at all, and I think we should stop.

**Mr Mills:** I agree, of course, with my friend across there, Gilles, because when I read all this material I also couldn't tell what are we getting into here. It baffled me. I think what we're here to do is to devise or come up with some mechanism to alleviate the problem Steven Offer went through before. Isn't that what we're here for, to come up with a mechanism we can all buy into whereby if that situation arises again, no matter what religion you are, it's taken care of automatically without any hassle? That, to me, is what we're here to decide. I believe you suggested we could do something like that, that we could devise a mechanism to take care of this, if I heard you right.

1450

**The Chair:** Could I just get a little clarification from Mr Offer and Mr Brown. I think they wanted to take that a little step further, to indicate that if someone was sick etc that accommodation could be made as well.

**Mr Mills:** No, I don't think so.

**The Chair:** Am I hearing that?

**Mr Mills:** That wasn't your intention.

**The Chair:** It wasn't necessary just for religious holidays, but for other reasons such as if someone was sick, for example.

**Mr Ferguson:** That was used as an example.

**The Chair:** Oh, it was just an example.

**Mr Mills:** I don't think that was to be considered, in my opinion.

**Mr Offer:** The situation was simply that as critic in my caucus on a particular matter, an issue arose where we had the government House leader saying, "You are going to sit during a particular few days," and I couldn't be there. When you cut through it all, the fact of the matter is that I and everybody else in this Legislature are going to be critics and responsible for a particular piece of legislation.

The example here is Bill 40. I was involved. I was providing the amendments. I was stating our party's position on the bill. We were at a particular point in time when I could not be there and the House leader said, "We're

going to be sitting.” I felt there was the need to bring the matter up, because to me it was really a matter that every member of the Legislature could experience. We have to ask ourselves, is there going to be some sort of policy or whatever that deals with this matter?

I had no intention of saying the Legislature should not sit, not at all. The fact of the matter is that I was responsible for a piece of legislation, couldn’t be in the Legislature, gave notice of that and was denied. We gave ample warning. Do we deal with that issue?

**Mr Drainville:** I think we don’t need to go much further on this. The point is that quite apart from all the information we have here about holidays for various faith groups, I think we have acknowledged that we can’t effectively change the standing orders to increase that because of the difficulties that would mean in terms of our ongoing work in the Legislature.

What we have here is a particular case raised by a member of the Legislature basically dealing with religious observance. There are other possibilities of things that may come up, but we’re not looking at those other things. We’re looking at a member who had a particular difficulty and had to raise it in terms of a question of privilege.

I agree with Mr Offer that for him to have been put in the situation of having to raise that in the House was not appropriate. The House leaders—I say leaders—needed to have dealt with that outside the House. The fact that they did not is *prima facie* evidence that we need at least to give some indication to them of some guideline which they need to take seriously in their deliberations as they come up with the proceedings we’re going to deal with as members in the House.

That being the case, very focused on what Mr Offer has presented here, I would say we should suggest a guideline that acknowledges the religious beliefs of any member of this Legislature who is elected here. When that member is engaged in a particular endeavour or legislative work, the House leaders should take into consideration that person’s religious needs as regards holidays, or other religious needs, to ensure they are going to be there and involved in the process when that issue comes up before the House or before committee.

I think that’s the sole focus we need to look at, because of the case that’s been raised by Mr Offer. To go into any other area is to go into areas that would take a lot of discussion and really aren’t germane to the particular case we’re supposed to be looking at. I realize that the Speaker gave us rather a larger, more general approach, but there’s no reason why we can’t focus, in this particular committee, on that particular issue.

**The Chair:** There are two members of the committee who haven’t spoken yet, so I’m going to ask them for their comments first and then get back to the other members. Mr Villeneuve and then Mr Mammoliti.

**Mr Noble Villeneuve (S-D-G & East Grenville):** I think Mr Offer summed it up pretty well when he said simply that he was looking to be accommodated and was not in any way, shape or form trying to reflect on the scheduling of the Legislature. The request seemed to be a

little bit more focused than that, but I think we all agree. I suppose we could cite the example of a calendar that is now in effect, supposedly, for legislative sittings and what have you. Of course, it’s not in the standing orders and it’s not adhered to.

I think this committee is simply here to appreciate some of the concerns. I know I was personally impressed with the number of religions we have and the number of holidays that were listed there. I for one must admit that I did not know a great deal about some of the religions that are followed very closely by some people within this province, not necessarily by some of the members of this Legislature but by the people who reside here.

It’s certainly helpful for we as members to know that these religious holidays are occurring. It would be simply to caution the House leaders of all parties who make the decisions on what business comes before the Legislature as to whether we are encroaching upon someone’s religious beliefs during times of sitting. I think to rearrange the schedule is basically all we’re asking for.

When I saw the words “religious holidays,” as to the connotation of the Lord’s Prayer in the Legislature, which came up some time ago and prompted a lot of us to write to the Speaker—I know this is not to look at that particular situation—I thought this committee might have touched on it at some point, but it’s quite obviously not on the schedule or on the agenda. I know the Speaker was looking, at that time, for direction from all members, and I think all members from all parties provided him with as much direction as he dared to even look at. However, be that as it may, we’re not addressing that particular case and situation today.

I think we’re looking at people who, through common courtesy—I have the occasion of being in the Speaker’s chair from time to time and yes, there are days when it’s rougher than others, but by and large, people are courteous. I think this recommendation from this committee would simply be to recognize that there are many different faiths in the province that are adhered to among members of the Legislature and to respect those desires as much as possible. I don’t think we can go any further.

**Mr Mammoliti:** Two questions, I guess, before I make a comment: First of all, has this sort of thing happened in the past, or perhaps a similar occasion in the history of the Legislature? Has something happened similar to Mr Offer’s occasion?

**Mr Morin:** I’ve been here since 1985.

**Mr Mammoliti:** In terms of something similar in nature.

**Mr Morin:** Not that I can recall since 1985.

**Mr Mammoliti:** The second is, of course, what is the definition of “religion”? If a member of the House decided to stand up at any given time and tell us that he or she is now worshipping worms or chickens or whatever have you, would that be considered a religion and would we have to recognize that? That’s where I have a problem.

**Mr Yeager:** Perhaps I could answer that second question. The Ontario public service defined “religious denominations” as those whose religious leaders comply with



section 20 of the Marriage Act. So there's a procedure in place that would pick out most of the worm worshippers and that stuff.

**Mr Mammoliti:** So we don't have to worry about somebody worshipping a worm or something.

**Mr Yeager:** As long as you followed the Ontario public service guidelines, that's already in place.

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**Mr Ferguson:** Mr Chair, I have a motion to make. I would like to move that this committee advise the Speaker that we have decided not to take any action on this matter.

**The Chair:** There's been a motion by Mr Ferguson. Is there debate on the motion? Mr Marchese?

**Mr Marchese:** Yes.

**Mr Ferguson:** Can I speak to the motion first?

**Mr Marchese:** He wants to speak to his motion.

**The Chair:** Sorry, Mr Ferguson.

**Mr Ferguson:** Mr Chair, first of all, there wasn't a problem. At the end of the day, there wasn't a problem. The government House leader's office was sensitive to Mr Offer's predicament. Second of all, Mr Morin is quite correct: This is a commonsense issue. Whether it be religion or a death in a family or a significant family event or illness, generally speaking, there hasn't been a problem in the past. So I can't think why we should try to go out and solve a potential problem that may never exist.

Finally, Management Board obviously is charged with the responsibility of managing the government. They are dealing with the issue, none too easily, I might add. I think we should really see what they come up in terms of policy for the broader public service, because that might in some large sense dictate what the Legislature should do. But I really don't know how we can legislate common sense here. That's what we're asking.

**Mr Marchese:** I disagree with the motion. I want to refer to some of the comments Mr Morin and Mr Offer made earlier on, because I believe there are some good things that I think could come out of this. I, like Mr Morin, don't want to spend four days on this issue, but I think there is some usefulness in debating and finding some agreement on this issue. But there are some different points that have been raised.

First of all, however, to comment on my colleague's remarks here, common sense is no guarantee of doing the right thing. Though my colleague talked about the fact that you can't legislate common sense, at the same time, we know there are a lot of commonsense things that we either do poorly or we do well sometimes. But there is no guarantee that in the future, if something arises, the different leaders will use good, respectful common sense so that we will come to some solution. I think we need to talk about guidelines and I thought that's what we were getting at before.

There are two things that arose out of this discussion. One was whether or not we shouldn't find some guidelines or agree on some policies to accommodate people with different religions, which I think we should respect, and I thought that was wonderful in terms of what we were

given. I really believe we're anticipating some future problems here. I think it's important to deal with it, and in that respect I think we can come to some wording that we were alluding to earlier that would accommodate that.

But I also believe, if the issue is what Mike Brown was talking about, and what I understood later on Steven Offer was also talking about, we really aren't talking about religious holidays necessarily, but some other kind of thing that refers to, "I can't be here for some other emergency." That is more complicated to deal with, in my opinion, than dealing with the whole issue of respecting somebody's right to his or her religious day and being unable to come on that particular day for that reason. That is much easier, in my view, to deal with, than someone saying: "Look, I'm calling in sick. I can't be there. Please don't meet today. I've got something important to say."

How do you define that? How do you interpret that, someone calling in and saying, "I'm sick," someone calling in because somebody has died. Is it your cousin? Is it a distant cousin? How you define that, in my view, is a lot more difficult than the other issue, about which people said: "Oh, that's not an issue. Common sense will deal with it." I suggest to you if you want four days of debate, what the two of you were getting at will give us four days of debate, whereas the whole issue of respecting religious observance is much easier to deal with.

I think this motion is not appropriate in terms of how we get to deal with the issue I thought we were here to deal with, so I'll be voting against it so that we can come back to the debate again.

**The Chair:** Any further debate on the motion?

**Mr Mills:** Just a comment about the motion, Mr Chair: I'm not going to support the motion for the basic reason that I want to see some mechanism from this committee put forward on how we're going to deal with situations like Mr Offer's, and really that's the whole crux of it, as far as I'm concerned—mechanism, policy—so that it doesn't arrive again so that you have to stand up on a point of privilege and ask for all these things. Surely to goodness we can put it into some sort of order, document, and I believe the gentleman there has got some ideas about that. Peter, you've got some ideas.

**Mr Morin:** Perhaps what we could do, Mr Chairman, is to prepare a letter explaining exactly what happened within this meeting to the Speaker, that we felt the issue that was brought to our attention did not quite answer the issue that was raised in the House by Mr Offer, because the whole thing stems from that, and then for the Speaker perhaps to write a letter to the House leaders that in the future he will take into consideration the religions, the feelings of certain people, before coming to a decision.

In this case, Mr Offer's case is totally unusual. He just happened to be the critic. Had it been, for instance, me who had been the critic and I had to respect a religious holiday—sorry, had he been a member of the committee and had to take his holidays, nobody would have said a word; we could have replaced him. It just happened that he was the critic. That was the issue. Of course, we cannot dictate common sense; common sense comes with life experience.



You cannot tell the House leader, "Look, this is what you have to do," but I think a gentle letter from the Speaker saying, "We looked at the issue but you're giving us a tool that we don't even have to correct, because nobody raised it"—otherwise, we're going to create problems and, let me tell you, if you want to have problems, talk about religion. This is not our job; there's no way.

I think we have solved Mr Offer's issue. He said it so clearly. So let's write a letter, let's give a compte rendu to the Speaker of what we've done and make a recommendation to the Speaker: "Please write to the House leader to please take into consideration the religions of each individual or certain other aspects," and everything would be fine, instead of a motion.

**Mr Ferguson:** Mr Chair, I'll withdraw my motion and support that motion, providing, of course, the question be put now.

**Mr Morin:** And be well phrased; phrase it well.

**The Chair:** Thank you, Mr Ferguson. I had recognized one other speaker, Mr Villeneuve, and then I will put the question.

**Mr Villeneuve:** With all due respect to my colleague, Mr Morin, who also sits in the Chair, I think this puts the Speaker in somewhat of a precarious position because he takes on the responsibility that I believe should be this committee's and the House leaders'. I think it's difficult for the Speaker to try and tell House leaders what to do. I think this committee, made up of all parties, and a letter from the Chair stating what we've discussed here—I'm not sure the Speaker has anything to do with this. I realize he has taken it on to be addressed, but I have difficulty in involving the Speaker.

**Mr Morin:** I'm not asking for the Speaker to dictate to the House leaders what to do. It's to make a report, to give a report of what happened and, "Would you please consider in the future taking into consideration the religions of the individual or whatever." I'm not telling the Speaker to dictate. It's not his job, of course not, but at the same time it's just a letter to bring attention to a complaint that was brought to his own attention. It's as simple as that. It's just a letter. I don't think you're creating a precedent. It's just a question again of bringing a matter to the attention of the House leaders: "Be a little more respectful. Be a little more considerate." I wouldn't object to that if somebody would tell me this. I'd say, "Of course I'll be more careful next time."

**Mr Ferguson:** Question.

Interjections.

**Mr Ferguson:** No, I withdrew. I'm supporting Gilles.

**The Chair:** Mr Ferguson has withdrawn his motion and what we're operating on now is the suggestion by Mr Morin.

**Mr Mammoliti:** House leader or House leaders?

**The Chair:** House leaders.

**Mr Marchese:** Does that cover your concerns, Steve, that motion?

**Mr Offer:** Sure.

**The Chair:** Mr Brown, be quick.

**Mr Brown:** There actually is no motion, Mr Chair.

**The Chair:** A suggestion.

**Mr Brown:** It's nice that Mr Ferguson is supporting Mr Morin's suggestion, but voting on suggestions is difficult.

I just want to point out that under our standing orders the person who calls the business of the day is the government House leader. Certainly, he talks to the other House leaders, but it is the sole responsibility of the government House leader to determine the business of the day, and while I'm pleased to see that it goes to all House leaders involved, the issue is the government House leader.

**The Chair:** There's another point of clarification. Mr Ferguson, there's no motion on the floor right now, just a suggestion. There's no need to call a vote.

**Mr Morin:** It's a suggestion.

**Mr Ferguson:** Make it a motion; move it.

**Mr Morin:** Let's call it a motion, if you like it as a motion.

Interjections.

**The Chair:** Are you moving it as a motion?

**Mr Morin:** I'll move it as a motion. Its rather lengthy.

**Mr Marchese:** Mr Brown was talking about whose responsibility this is, and he talked about the government House leader. We could send it to the government House leader with copies to the other House leaders if that's the way to do it. I'm fine with that; if that suits the other members, that's fine.

**The Chair:** As the Speaker referred this to the committee, the letter should go to the Speaker, with copies to the House leaders. I'll also make a suggestion that a copy of the proceedings and the members' comments accompany that letter as well, from the debate here this afternoon.

**Mr Mills:** That's a good idea.

**Mr Marchese:** All right.

**The Chair:** Any further debate on the motion? Seeing none, all in favour of the motion? Carried.

This committee stands adjourned.

The committee adjourned at 1512.



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- Vice-Chair / Vice-Président:** Farnan, Mike (Cambridge ND)
- Cooper, Mike (Kitchener-Wilmot ND)
- Johnson, Paul R. (Prince Edward-Lennox-South Hastings/Prince Edward-Lennox-Hastings-Sud ND)
- Marland, Margaret (Mississauga South/-Sud PC)
- \*Mathysen, Irene (Middlesex ND)
- McClelland, Carman (Brampton North/-Nord L)
- \*Mills, Gordon (Durham East/-Est ND)
- \*Morin, Gilles E. (Carleton East/-Est L)
- Owens, Stephen (Scarborough Centre ND)
- Sullivan, Barbara (Halton Centre L)
- \*Villeneuve, Noble (S-D-G & East Grenville/S-D-G & Grenville-Est PC)

\*In attendance / présents

#### **Substitutions present / Membres remplaçants présents:**

Brown, Michael A. (Algoma-Manitoulin L) for Mrs Sullivan  
Carr, Gary (Oakville South/-Sud PC) for Mrs Marland  
Drainville, Dennis (Victoria-Haliburton ND) for Mr Johnson  
Ferguson, Will, (Kitchener ND) for Mrs Mathysen  
Mammoliti, George (Yorkview ND) for Mr Farnan  
Marchese, Rosario (Fort York ND) for Mr Owens  
Rizzo, Tony (Oakwood ND) for Mr Cooper

#### **Also taking part / Autres participants et participantes:**

Offer, Steven (Mississauga North/-Nord L)

**Clerk / Greffière:** Mellor, Lynn

#### **Staff / Personnel:**

Sibenik, Peter, procedural clerk (research), Procedural Research Section, Committees Branch  
Yeager, Lewis, research officer, Legislative Research Service





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